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CHURCH AND REFORM IN SCOTLAND

A HISTORY FROM 1797 TO 1843

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CHURCH AND REFORM IN SCOTLAND

A HISTORY FROM 1797 TO 1843

BY

WILLIAM LAW MATHIESON

HON. LL.D., ABERDEEN

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PREFACE

THIS is the conclusion of a work, published under four different titles, which I began nineteen years ago, and the first instalment of which appeared in 1902. In the present volume I have continued the political narrative to the extinction of Scotland as a unit of parliamentary representation in 1832, and the ecclesiastical narrative to the secession from the Church in 1843 of those who maintained its hereditary quarrel with the State. Some account is given of social conditions before and after 1832. Evangelicalism, as treated in the opening chapter, falls mainly within the limits assigned to the preceding instalment, but I have preferred to deal with it in connexion with the period to which in point of interest and importance it naturally belongs.

My most cordial thanks are due to Dr. Henry W. Meikle, not only for the help I have derived from his *Scotland and the French Revolution*, but for his kindness in placing at my disposal the results of his examination of the Home Office (Scotland) Correspondence at the Public Record Office. These have proved of great value, especially in the preparation of Chapter II., and are

cited in the notes as *Scottish MSS.* P.R.O. The Roman numeral which follows indicates the manuscript volume, and will be useful to any one who desires to examine these papers for himself. My own researches in unpublished material have been confined to a large collection of letters addressed to Lord Advocate Robert Dundas amongst the *Laing MSS.*, and to the correspondence of Principal Hill, chiefly with Alexander Carlyle, in the Edinburgh University Library.

I have to record my gratitude to the Carnegie Trustees for the Scottish Universities, who have assisted me by a grant in aid of publication.

EDINBURGH: *September*, 1916.

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INTRODUCTION

THE temporal divisions which intersect our survey of the past may be compared, as mere measures of distance, to the parallels and meridians drawn by the geographer on his map; for, just as we study the physical formation of a country by tracing its mountain chains and river systems, and are not arrested in our course by lines of latitude and longitude, so the movements which traverse the face of history cannot reasonably be broken up into compartments of time; and perhaps we may distinguish between the historian and the annalist by saying that the one thinks in epochs, the other in periods. Yet it is curious to reflect how often we may estimate the progress as well as the life of a nation in sections of a hundred years. All the four centuries, for example, which constitute the modern history of England, are roughly conterminous with phases of national development; and each of them, considered as an epoch, has borrowed almost to the same extent from its successor. Thus the Tudor dictatorship was established in 1485; the destruction of the Spanish Armada, with which that dictatorship fulfilled its purpose, was accomplished in 1588; the expulsion of the Stewarts, who had resisted the growing demand for constitutional monarchy, took place in 1688; and

the French Revolution, which inaugurated the rise of democracy in Europe, broke out in 1789. It is with the half-century of Scottish history which followed the last and greatest of these events that we are concerned in this work; and, as the masses had to wait considerably longer for their admission to political power, we shall be occupied mainly with the state of things which prevailed before and after the enfranchisement of the middle class in 1832. A fuller instalment of democracy was always, however, an object both of hope and of dread, and we shall find that the chief characteristic of the period is the pressure of popular passions and ideas on political, religious and even intellectual life. There is little, it may be supposed, in the history of Scotland during the preceding age to prepare one for the development of this force; and our first task must be to consider how far its growth can be discerned under so unpromising a surface as that of the eighteenth century.

One is tempted at first sight to dismiss such an inquiry as useless on the ground that democracy in Scotland was an importation from France; and, so long as our attention is confined to politics, this opinion may not be wholly disproved. The people was an entity unknown—and so, for that matter, was the nation—to the Scottish constitution. The Parliament, which came to an end in 1707, was neither popular nor national, but feudal; and the first Earl of Stair characterised it in terms more accurate than welcome when he said that an Act of that assembly was "but a decreet of the Baron Court." So high was the franchise, and so limited in scope, that it was confined to sixty-six self-elective corporations, and to some two thousand landowners, whose charters were derived

from the Crown; nobles, gentry and burgesses formed one House; and it was only—with one brief exception—during the last few years of its existence, when commercial rivalry with England had made it a real embodiment of the national spirit, that the Scottish Parliament emancipated itself from Government control and attained to freedom of legislation and debate. The Union did not alter the basis of this system: it merely eliminated most of the peers and burgh and shire members, and provided that the remainder should meet, not as a separate legislature at Edinburgh, but as an addition to the Lords and Commons at Westminster. The "Baron Court," thus reduced to a fragment and transported to a foreign soil, lost the hold it had recently obtained on public esteem, whilst the representation, which had always been its worst feature, survived intact—except for the growth of abuses—till 1832. Under such conditions the admission of Scotland to the wider field of British politics seemed only to have impoverished and contracted its public life. The sixteen peers, ostensibly elected by their brethren, but really nominated and even pensioned by the Crown, were notorious from the first as a "dead Court weight"; their colleagues in the House of Commons were almost equally submissive; and in 1762, when the country was clamouring for a national militia, a writer in the newspapers complained that nobody thought it worth while to inquire whether the Scottish members could be trusted to support this demand "or whether they are gone, like our drovers, to sell their votes as the others do their cattle."

So long as Scotland retained her mediaeval franchise, an improvement in the character of her representatives was rather to be desired than expected; but it might

have been supposed that she would gain in political enlightenment from association with a people whose institutions, however anomalous, were decidedly sounder and more advanced. Scotsmen, however, were in no mood to assimilate a constitution, which their previous experience had not enabled them to understand; for the settlement of 1707, far from being the ripe fruit of friendship, had been imposed by wise statesmanship on two fiercely antagonistic peoples; and, half a century later, the feud had not been healed. Whilst the Scots were disappointed in their hopes of commercial benefit from the Union, the English, who had aimed at security, were smarting under the recollection of Jacobite conspiracies and revolts; their new fellow-citizens were known to them chiefly as obsequious voters and insatiable place-hunters; and the unpopularity of the Scots in London rose to an unprecedented height, when George III., with Scottish members as his hirelings and a Scotsman as his Prime Minister, attempted to revive the tradition of personal rule. Much of the abuse heaped on Bute and his countrymen was, of course, the mere vapourings of jealousy and party spite; but it had at least a basis of sense; and this was well expressed by a shrewd and temperate writer who pointed out how much of the feudal and autocratic spirit still survived in Scotland, and declared that "constitutional power here in Scottish hands will, with some strong colour of reason, be always dreaded by the English."

That British nationality was becoming something more than a mere legal abstraction may, however, be inferred from the fact that at this crisis, so unfavourable to the growth of such a spirit, the Scottish members could not all be collected into the Government fold.

Oswald and Sir Gilbert Elliot, the only two who had distinguished themselves in the previous reign, were never remarkable for independence, and both enlisted under Bute; but George Dempster, whose long and honourable career began in 1762, was to prove himself a bold and enlightened Whig; and it is significant that three of his countrymen voted with him against Bute's principal achievement, the Peace of Paris, and that one of these acted as teller with that anti-Scottish agitator, John Wilkes. Henceforth the Minister who shepherded the dumb voters from North Britain had always to report some "scabby sheep"; and, twenty years later, the movement which had begun at Westminster was manifesting itself in the country.

Up to this point the spirit of reform in Scotland can be discerned only in occasional attempts to rectify the county franchise; for that archaic qualification, dependent on the technicalities of feudal law, and fantastic enough at best, had been so grossly abused that, of some 2,500 persons enrolled as electors, little more than half were genuine. But the disasters of the American War had provoked an agitation in England for the exclusion of placemen and pensioners from Parliament and for an improvement in representation; and this movement, which found many supporters amongst the Scottish middle class, was the first of its kind since the Union in which Englishmen and Scotsmen alike took part.[1] When, however, both Whigs and Tories had discredited themselves by their coalition under Fox and North, and the King had given his confidence to a minister so independent, so upright and so popular as the younger Pitt, the demand for parliamentary reform lost much of its force; and the Scottish reformers,

[1] Meikle's *Scotland and the French Revolution*, p. 8.

who were more numerous in the burghs than in the counties, then resolved not to challenge the right of the town councils to elect members of Parliament, but to insist that these councils, which had long been self-elective, should be chosen by the people. A powerful organisation, comprising delegates from more than two-thirds of the burghs, devoted itself for eleven years to exposing the corruption and mismanagement of these exclusive oligarchies; but Pitt's Government was unwilling to sanction a principle so far-reaching in its effects as that of popular election; and the town councils contrived to prolong their resistance till the reformers themselves, intimidated by the excesses of the French Revolution, gave up their attempt.

Such secular agitation as had sprung up in Scotland before 1789 had, therefore, been confined mainly to municipal politics and to the better-class townspeople. The apathy of the masses was dissipated by the event which was to make this year memorable in the history of Europe; but they had already awakened to a fuller industrial life; and the germ of revolutionary fever transmitted from Paris could not have produced such an effect if the social organism had not thus become susceptible to its power.

The Union had justified its unpopularity by proving a slow and unequal stimulus to the development of commerce, and as late as 1746 the country was pronounced to be in a "declining and sinking condition"; but the revival came at last, and during the thirty years which preceded the French Revolution, it went forward with amazing vigour. Glasgow, indeed, owing to its facilities for transatlantic trade, had benefited from the first; and the sable canopy of its industrial greatness had early descended on the clear waters, the

fragrant meadows and orchards of that once beautiful town. At this period Glasgow had completed the cycle of its development and decline as the largest tobacco emporium in Great Britain, and, having emerged undaunted from the havoc of the American War, was finding a more durable basis for its prosperity in the manufacture of cotton. A great canal, the greatest yet attempted in the United Kingdom, was bringing to its doors the shipping of the east coast; improvements had been made in the channel of the Clyde; and small coasting vessels, the precursors of a mighty fleet, were already ascending the river to the Broomielaw. Linen was the manufacture which had benefited most directly from the Union; spinning and weaving, encouraged by the Government, spread rapidly from village to village; and the three towns which were the chief centres of this industry had assumed something of their present guise. Paisley had won its reputation for thread, had eclipsed Spitalfields in the manufacture of silk gauze, and was now, like Glasgow, turning its attention to cotton. Perth was already famous for its dyeworks and bleach-fields. Dundee, a declining town at the Union, had suffered thereafter, in common with other eastern seaports, from English competition, and its population dwindled till about 1750; but flax and hemp more than re-established its prosperity, and 4000 persons in 1792 were said to be living on a piece of ground which, twenty years earlier, had contained only five or six houses. The production of woollen goods still lagged far behind that of linen; but the making of hosiery contributed to the rise of Aberdeen, and the cloth manufacture had begun, though in a very small way, at Hawick and Galashiels.

More conspicuous in some districts than in others,

the movement we are considering was in progress before the middle of the century, but after 1760 we become conscious of a rapid and general advance. The Carron Iron Works, which were to furnish grates and stoves to almost every coal-burning household in Great Britain, and ordnance to every European Government, were established in that year. The North Bridge of Edinburgh, an indispensable preliminary to the New Town, was commenced in 1763 and finished in 1772; the quantity of paper manufactured in the surrounding district increased from 6,400 reams in 1763 to 100,000 in 1790; and at Leith, the port of Edinburgh, the shore dues rose during the first twenty years of this period from £580 to £4,000. Agriculture had shown a tendency to improvement since the Union, but it was not till 1760 that the ancient method of joint tillage was given up, and "the new husbandry," with its single tenant, long lease, rotation of crops and culture of grasses and turnips, came into general use. Roads that merited the name were almost unknown till about 1760, when the funds required for their upkeep were obtained through the commutation of personal labour; and, sixteen years later, travelling was reported to have become "incredibly easy, expeditious and commodious." In the Highlands prosperity presented itself in a shape more acceptable to the capitalist class than to the people. The rearing of black cattle, which had long been the staple industry of these districts, flourished greatly under the level of high prices which prevailed from 1766 to 1780; but this caused a rise of rent and a consequent eviction of many small tenants; and it was during these years that sheep-farming, which was to cause even greater profits and hardships, was gradually introduced.

At a time of industrial expansion, when the ancient social system was everywhere breaking up, and town and country were alike being transformed, it needed only the influence of the French Revolution to evoke a strong popular spirit; and, as the significance of this movement became manifest, the British people tended to fall apart into three distinct groups. There were the alarmists, tutored by Burke and comprising all the Tories and many of the Whigs, who detested the Revolution and made it a pretext for combating or postponing all liberal measures; there were the followers of Fox, who regarded it as the nemesis of repression, to be propitiated in this country by judicious reform; and there were the quasi-republicans, fired by the writings of Paine, and mostly of humble rank, who hailed it with enthusiasm as the dawn of freedom. In 1792 Fox's party organised themselves as "The Friends of the People" with a view to obtaining shorter and more representative parliaments, and this society, from which Fox himself held aloof, was soon extended to Scotland; but the industrial population which had sprung up in the principal towns—particularly in Dundee, Glasgow and Paisley, and even the peasantry, had imbibed stronger doctrine from Paine; and associated with the Scottish branch of the society were many more or less revolutionary clubs. The burgh reformers, true to their resolution not to overstep the municipal sphere, refused—though some of their leaders were less scrupulous—to countenance this agitation; but the failure of all attempts to popularise the town councils caused several riots; a bad harvest aggravated the general discontent; sheep-farming in the Highlands, "toll-money" on the new Lowland roads, provoked disturbances; and a writer in the *Scots Magazine*

declared that his countrymen had so effectually awakened from their long apathy in regard to public affairs that half of them "seem to have become politically mad."

In December, 1792, the various societies held a Convention at Edinburgh; but the proceedings, though attended by 140 delegates, testified rather to the zeal and disunion of the movement than to its strength. During the next few months, when public bodies were testifying their loyalty to the constitution and some of the wilder spirits were being prosecuted for sedition, the liberal cause in Edinburgh was reported to be losing ground; but the refusal of the House of Commons in May to entertain proposals of reform was keenly resented; and still more bitter feelings were aroused when Thomas Muir, an advocate, whom the societies had appointed chairman of their General Association, was sentenced on August 30, after a grossly unfair trial, to fourteen years' transportation. The effect of this conviction was to make constitutional little less dangerous than revolutionary agitation; and the Scottish Friends of the People, whose connexion with the parent society in England had always been loose, now allied themselves with English associations much more extreme. In December, 1793, a so-called British Convention, which courted martyrdom by its ostentatious mimicry of French forms, was dispersed at Edinburgh, and several of its promoters followed Muir to Botany Bay. The agitation still continued, fostered by English and Irish intrigues and becoming more violent and reckless as it subsided into subterranean channels; but in 1799, after two conspirators had been transported and one had suffered death, it was practically, if not finally, suppressed.

The period we are considering was one of no less

distinction in letters and philosophy than in material welfare, and it may surprise some readers to find how largely the political awakening of the nation was divorced from its intellectual life. Nothing at all resembling the fermentation of thought which was then in progress had been known in the previous history of Scotland; and the intercourse of scholars and thinkers was almost as little disturbed by passion and prejudice as that which the unquestioned supremacy of science has secured for them in our own day. The notorious infidelity of Hume was no bar to his intimacy with men who delighted in his genius and personality whilst they regretted his opinions. Robertson, Blair and Carlyle, who led the Moderate party in the Church, were his devoted friends; Reid and Campbell, the philosophers of orthodoxy, were content to be known as his "friendly adversaries"; and Blair gave utterance to a truth, which was soon to be lost and has only recently been recovered, when he said that the proper object of censure was "not freedom of thought but licentiousness of action." The spirit of dispassionate inquiry, spreading from the philosophical to the religious sphere, had no doubt strengthened with a vein of scepticism this tolerant temper; but such a temper was not unnatural at a time when dogmatism had gone out of fashion, and when many of the orthodox agreed with Wesley in regarding religion as more a matter of emotion than of logic. Professor Gregory, indeed, most devout of pietists, declared that "the Heathens" were all powerful, and that the Deists of his youth had become the Atheists of his riper years; but even Gregory confessed that he had never read a theological treatise, and associated amicably with the men whose opinions he abhorred.

It might have been supposed that when the Scottish democracy awoke, vigorous but dazed, from its long sleep, it would turn for inspiration and guidance to these leaders of thought; but this was just the quarter in which it was least likely to find help. The influence of Hume, who had died in 1776, was all in favour of order and repose; his friends, who still administered the Church, had almost succeeded as enthusiasts for patronage in strangling its popular life; Dundas, the high priest of Toryism, was their political patron; and Sir Gilbert Elliot, writing as a Whig from Edinburgh in 1782, congratulated himself on having "found one just man in Gomorrah."[1] The apparent paradox may, however, be readily explained. The literary revival had begun in the ecclesiastical sphere as a reaction against the turbulence and fanaticism which had long been associated with Presbytery; it aimed at social as well as intellectual distinction, and, though afterwards much improved in breadth and tone, it always retained something of its fastidious and exclusive spirit. It had thus much in common with the great liberal movement which preceded the French Revolution —a movement rational and humane but far from democratic, which sought, not to emancipate the people, but to place them under better, if no less absolute, government than that of courtiers, mistresses and priests. The men whose writings had given such lustre to the eighteenth century in Scotland were rapidly dying out in its last decade. The social conditions under which they had lived and worked were passing away with the dawn of municipal and parliamentary reform, and there were none of the same school to take their place. The awakening of the masses

[1] Rae's *Adam Smith*, p. 378.

was indeed more immediately fatal to the finer qualities —the clear vision and broad outlook—of the old order than to its outward forms; for in the coarse hand of repression, which sufficed for a time to uphold a crumbling aristocracy, almost all that was not hard and practical withered and died. There was an interval of confusion and darkness; and, as the light of a new century breaks in on the gloom and chaos of transition, we can see that the liberal cause has obtained leaders who, if they belong to a lower plane of thought than their predecessors, are at least in sympathy with the aspirations of the people.

There is nothing unaccountable in such a change, for the culture which gave no general support to democracy contained elements not unfavourable to its claims. No man did so much as Principal Robertson to crush the popular spirit of Presbytery; but there was a fund of academic liberalism in this enforcer of patronage, who was fond of contrasting his sentiments "as a lover of mankind" with his duties "as a subject of Great Britain." Thus, whilst keenly supporting Lord North in his endeavour to subdue the colonies, he rejoiced, as he had done when war was still distant, "that a million of men in America have some chance of running the same great career which other free people have held before them"; the dawn of liberty in France filled him with enthusiasm; and, though, if his life had been prolonged, he would probably have become as stout an anti-Jacobin as Dr. Somerville, he did at least concur with that large-hearted divine in despising the "ravings of Burke."[1] It was, however, in a quarter less closely associated with the intellectual

[1] Stewart's *Robertson*, pp. 122-124; Graham's *Scottish Men of Letters*, p. 93; Meikle's *Scotland and the French Revolution*, p. 41.

movement that such ideas found expression in politics. Glasgow took the lead by more than a generation in the industrial development of Scotland; and the tradition of political liberalism originated, and long had its centre, in this rising town. It has justly been claimed for Francis Hutcheson, who occupied the Chair of Moral Philosophy at Glasgow from 1729 to 1746, that, though rather an eclectic than an original philosopher, he was the apostle of enlightenment, the man who did most to dissolve the spell of Puritanism and to kindle an enthusiasm for light and truth.[1] Much of the seed sown by Hutcheson was indeed more likely to germinate in the hothouse than in the field. It was he who associated, if he did not identify, morality with aesthetics; who formed the school of courtly divines which culminated in Carlyle of Inveresk; who regretted that religion was too often presented in "so austere and ungainly a form that a gentleman cannot easily bring himself to like it"; and who pronounced the ministry "contemptible upon no account if it be not perhaps thought so by reason of so many people of very mean birth and fortune having got into it." This was the aspect of his genius which accorded with the general revolt against Calvinism, and we have seen how influential it proved; but there was a more robust fibre in his teaching which was to achieve tardier but more permanent results.

A disciple of Shaftesbury, and not indisposed to accept his master's aesthetic standard of conduct, Hutcheson yet overstepped the bounds of an esoteric cult and based his ethics rather on the instinct of humanity than on refinement of taste. In a criticism of the methods of teaching at Glasgow, published

[1] Scott's *Francis Hutcheson*, p. 257.

thirty-six years after his death, we read: "If ever one had the art to create an esteem for liberty and a contempt for tyranny and tyrants, he was the man." He strenuously opposed the growth of patronage in the Church, predicting that it would produce "the most despicable set of Churchmen in Christendom"; and Bentham derived his famous formula from Priestley, who in turn had borrowed it from Hutcheson—"the greatest happiness of the greatest number."[1] Expressed in one form or another, this principle is the keynote of his lectures on "Civil Polity." He declares, for example, that, when the people are justly dissatisfied with their form of government or with the conduct of their rulers, "they do a necessary duty to themselves and posterity by making all the violent efforts which are necessary to accomplish a change"; and he carries this so far as to assert that the sovereign ought to defer to prejudices which he believes to be groundless: "As a people in continual suspicion and fear cannot be happy, and the public happiness is the sole end of all civil power, the rulers cannot have a right to retain their power, unless they find some means to remove these fears." Nor did he shrink from the practical application of his rule. Thus we find him commenting on the corruption that must prevail "if small or poor districts and cities have representatives quite beyond the proportion of their wealth to the rest"; declaring that primogeniture affords no warrant for making one man another's sole heir, "except by positive laws, and they are monstrously unjust when they give the whole inheritance to one of many equally near and equally deserving"; and expressing views on the

[1] Scott's *Hutcheson*, pp. 76, 186, 273; *The Awakening of Scotland*, pp. 193, 227.

relation of colonies to the mother country which, had he lived to see the American Revolution, would have ensured his opposition to Lord North: "There is something so unnatural in supposing a large society, sufficient for all the good purposes of an independent political union, remaining subject to the direction and government of a distant body of men who know not sufficiently the circumstances and exigencies of this society, or in supposing this society obliged to be governed solely for the benefit of a distant country, that it is not easy to imagine there can be any foundation for it in justice or equity." [1]

Whilst the effect of Hutcheson's ethical discourses can easily be discerned in the intellectual temper of the time, and especially in that of the Church, there are few indications of his influence as a political philosopher; but his "esteem for liberty" had kindled an answering flame in one at least of his pupils. It has been cited as a signal testimony to the genius of Adam Smith that "his great work in its method and its spirit is more akin to nineteenth century thought than the most eminent of its successors"; [2] and, though the author of the *Wealth of Nations* must have full credit for its combination of science and practice, of philosophy and statesmanship, the central principle of the book, which a later generation was to find no less attractive, is one which must have been familiar to him in Hutcheson's lectures. Believing that all nature, human and external, was working out its own happiness under the guidance of "an omnipotent, omniscient, and most benign Universal Parent," Hutcheson was almost necessarily an enthusiast for freedom; and the

[1] Hutcheson's *System of Moral Philosophy*, ii. 260, 274, 286, 309.

[2] Lecky's *History of England*, Cabinet Edition, vii. 307.

same complacent optimism led Smith to assume as the basis of his studies that men are born for liberty, that in pursuing their own interests they unconsciously promote the public good, and that all attempts to restrict or encourage industry for purely economic purposes must, therefore, be both unjust and unwise. Nor was it only in their point of view that the two philosophers agreed; for Hutcheson had lectured on Economics as a branch of Jurisprudence, and in his exposition of certain topics, such as money, division of labour, and labour as the standard of value, he was followed more or less closely by his pupil.

Smith was also influenced—though probably in little but the modification of his views—by the group of economists who belonged to the pre-Revolution movement in France. It has indeed been frequently asserted that he owed more than he cared to acknowledge to Turgot's *Reflections on the Formation and Distribution of Riches*; but this opinion has recently been exploded through the discovery of his lectures on public policy as reported by a student in 1763. These lectures, which he had ceased to deliver seven years before Turgot's book was published, contain all the passages that have been used to support a charge of plagiarism in the *Wealth of Nations*; and they afford additional evidence of his debt to Hutcheson, not only in the points already mentioned, but also in the fact that he devotes as little attention as his predecessor to the problem of distribution. The necessity of dealing with this problem, though not the mode of treatment he adopted, seems to have been suggested by his subsequent intercourse with the Physiocrats at Paris.[1] These economists

[1] Smith's *Lectures on Justice, Police, Revenue and Arms*, edited by Edwin Cannan, pp. xxii-xxxi; Scott's *Hutcheson*, p. 230.

were no less devoted than himself to the principle of *Laissez Faire*; but, in common with other French reformers, they favoured despotism as the readiest means of establishing and maintaining their ideal, whereas Smith, as became a pupil of Hutcheson, stood for political as well as for industrial freedom. It was he who had gladdened the heart of Sir Gilbert Elliot at Edinburgh as the "one just man in Gomorrah," and the only man who "spoke out" for the Whigs; and one of his friends described him as little short of a republican. He died in 1790—just in time to escape the suspicion, if not the odium, which was to overtake his book; for the horrors of revolution in France cast a shadow even on economic liberalism; and Dugald Stewart tells us that some who had prided themselves on being Smith's disciples "began to call in question the expediency of subjecting to the disputation of philosophers the arcana of State policy and the unfathomable wisdom of feudal ages." [1]

Smith's disciples were not all, however, so fickle, and his memory was prejudiced for a time by the advanced opinions which some of them professed. The Marquis of Lansdowne, better known as the Earl of Shelburne, who steadily opposed the French War and all the repressive measures to which it gave rise, was one of the earliest converts to the theory of free trade, which he had learned from Smith during a journey from Edinburgh to London in 1761; [2] but the religious as well as the political orthodoxy of that philosopher had been called in question; [3] and the most complete embodiment of his teaching is probably to be found in John Millar, one of his favourite pupils, and for

[1] Rae's *Adam Smith*, pp. 14, 124, 292.
[2] *Ibid.* p. 153.
[3] Ramsay's *Scotland and Scotsmen*, i. 466.

several years his colleague as Professor of Civil Law. In addition to a treatise on the origin of social distinctions, Millar published in 1787 *An Historical View of the English Government*; and, though the second part of the work, in which he reviewed the recent development of the influence of the Crown and described it as "the great opiate" which enables "the statesman to despise the resentment of the people," was not published till after his death in 1801, he had done enough to establish his reputation as one of the most zealous and outspoken of the Scottish Whigs. Millar and the orthodox Professor Reid were the best of friends, but they had many vehement, and even acrimonious disputes in the Literary Society of Glasgow; and as early as 1768 the former, who followed Hume in all but his politics, had "begun to distinguish himself by his democratical principles and that sceptical philosophy which young noblemen and gentlemen of legislative rank carried into the world with them from his law class."[1] A man of athletic frame and exuberant spirits, famous for the unstudied ease of his lectures and still more for his racy and humorous talk, equally ready to argue with his students, to encourage their pastimes or to engage them in a bout of boxing, Millar had gifts which "made him the light of the young and gay." Such energy as his demanded a wider sphere than academic cloisters. He was a steady adherent of Fox, opposing the American War and labouring for parliamentary reform and the abolition of the Slave Trade; and Pitt's Government sought in vain to silence him by the offer of a lucrative post. Fox's friend and henchman, the Earl of Lauderdale, was one of his pupils; and, though Jeffrey, when a student at Glasgow,

[1] Carlyle's *Autobiography*, p. 492.

was not permitted to attend the law class, his father, who was a violent Tory, "used to blame himself for having allowed the mere vicinity of Millar's influence to corrupt and ruin his son." [1]

A still more advanced politician was John Anderson, Professor of Natural Philosophy and founder of the college which still bears his name, who had his class of mechanics as well as of ordinary students, who distributed papers on military instruction amongst the people of Paris, and who taught the French—when the Allies had encircled their frontier—to disseminate their manifestoes in Germany by means of miniature balloons.

The tradition of academic liberalism, which Glasgow had maintained throughout the intellectual development of the eighteenth century, was continued at Edinburgh, and was to terminate as it had begun in one who was rather a populariser than an originator of ideas. Dugald Stewart, who occupied the Edinburgh Chair of Moral Philosophy from 1785 to 1810, had spent the most fruitful years of his student life at Glasgow, and, though inferior in mental calibre to the "never-to-be-forgotten Hutcheson," [2] he was a philosopher of the same type and almost equally successful as a moral teacher. Stewart expounded the intuitional philosophy of Reid, just as Hutcheson had expounded and developed the aesthetic philosophy of Shaftesbury; both were enthusiasts for freedom, for refinement, and for the beauty of a cultured and well-ordered life; and what the one had done for Moderatism, the other was to do for the revival of its literary fame amongst the Whigs.

[1] Cockburn's *Lord Jeffrey*, i. 12; Life of Millar prefixed to his *Origin of the Distinction of Ranks*; *Scots Magazine*, lxiii. 528.

[2] So Adam Smith styled his master.

Hutcheson as a lecturer on ethics is said to have been "irresistible." [1] With such fervour and in such glowing colours did he depict the virtues and graces of which human nature is capable that his students "were charmed with the lovely forms and panted to be what they beheld," and some of them were known to have attended his class "for four, five or six years together." [2] What Stewart said of Hutcheson may be said with far more justice of himself, and was indeed to be said in substance only some twenty years after his death [3] —that his fame "rests now chiefly on the traditional history of his academical lectures." [4] Time, which was hardly needed to expose the superficiality of his writings, has long since tarnished the lustre of their style, and he lives only in those who have testified to the sweetness and elevation of his character, the charm of his personality and the eloquence of his spoken words. It was gifts such as these, aided by rich and varied learning and a musical voice, that made him almost the idol of his pupils; and one of them, whilst admitting that his master was "without genius or even originality of talent," has told us that the lectures, in which he was introduced to the glories of poetry and philosophy, were to him "like the opening of the heavens." [5] As Europe during the greater part of Stewart's professorship was involved in war, many young men, who might otherwise have studied on the Continent, were attracted to Edinburgh; and amongst his students were such men as Sydney Smith, Horner, Brougham and Palmerston.[6]

[1] Carlyle's *Autobiography*, p. 70.

[2] Hutcheson's *System of Moral Philosophy*, vol. i. p. xxxiii.

[3] Cockburn's *Jeffrey*, i. 51.

[4] Scott's *Hutcheson*, p. 75.

[5] Cockburn's *Memorials*, edition 1874, pp. 19, 22.

[6] Stewart's *Works*, vol. x. p. lviii.

There was, however, a manifest lack of force and spontaneity in Stewart, which, in so far as it influenced the expression of his ideas, must have been aggravated by the restraint imposed upon him by the French Revolution. Unlike Hutcheson, who had been "familiar and communicative to the last degree and utterly free from all stateliness or affectation,"[1] he was always that questionable product of over-cultivation, "an academical gentleman";[2] the epithet most commonly applied to him was elegant; and it has been happily said of him that he was "too much a professor of philosophical deportment."[3] In his ethical writings he is careful to indicate what he calls "dangerous opinions"; and his political liberalism, though more than sufficient to give a tone to his teaching, was as vague as the suspicions to which it gave rise. Caution, if not timidity, was indeed his chief characteristic; and Sydney Smith thus describes a visit paid to him by his old friend: "We spoke much of the weather and other harmless subjects. He became once, however, a little elevated, and in the gaiety of his soul let out some opinions which will doubtless make him writhe with remorse."[4]

The economic development of Scotland in the latter half of the eighteenth century and the forces, political and intellectual, which were making for the emancipation of her people have now been reviewed; but we have

[1] *System of Moral Philosophy*, vol. i. p. xxix.

[2] Cockburn's *Memorials*, p. 19.

[3] Leslie Stephen in the *Dictionary of National Biography*.

[4] Quoted in Graham's *Scottish Men of Letters*, p. 475. The biographer of Stewart (*Works*, x. p. xlviii) remarks that Stewart's predecessor, Adam Ferguson, "belonged to the same school of liberal politicians"; but the dissertation on civil liberty in Ferguson's *Principles of Moral and Political Science* is far from supporting this view.

still to consider a movement which, though rather theological than democratic, was of great influence in rousing and forming the popular mind. The high level of culture, to which many of the clergy had attained, was regarded by those who had recently done most to promote it as a precarious possession, and may be likened, as they conceived it, to the flourishing of a favoured industry under the shelter of a tariff. Patronage, which afforded the desired protection, had prevailed under all normal conditions in the Scottish Church, except during the twenty-two years which followed the Revolution Settlement, when the minister of a parish had been chosen by the elders and heritors; but the Act of 1712, which restored the old usage, was acceptable only to the Episcopalian and Jacobite patrons in whose interest it had been passed, and for more than a generation it was discountenanced by the clerical leaders, and was not consistently or even generally enforced. In 1732 the General Assembly enacted that the mode of election introduced at the Revolution should be adopted in all cases—and these were still numerous—in which the patron failed to exercise his right; but many were now asserting that "a piece of land" could confer no spiritual privilege, that heritors had no more claim to be considered than patrons, and that the members of a congregation, or at all events the heads of families, ought to elect its pastor; and Ebenezer Erskine carried many of these people with him when he and three other ministers founded the Secession Church in 1733. The enactment which had caused this revolt was soon repealed; but the principle it embodied had the eloquent support of Hutcheson, and continued for half a century to be the goal of those who laboured for an alteration of the law. There was

little prospect, however, that such efforts would meet with success; for few of the men who belonged to the school of Hutcheson shared his antipathy to patronage; the anti-fanatical spirit and the love of order and refinement, which were now becoming general, counselled submission; and the younger ministers, who were mostly of this temper, established their predominance in the Assembly at the cost of another secession—that of the Relief Church—in 1752.

Henceforth patronage was enforced with uniform and relentless vigour, and the statute, far from being liberally interpreted, was even strained in its support. Able critics of this policy were never indeed wanting; and they based their case not on the plea—which had long been left to the Seceders—that the people have a divine right to elect their pastors, but on broad and statesmanlike grounds. They pointed out that the right claimed for the kirk-sessions and landowners would compensate, to some extent, for the extinction of political freedom, and that, as one-third of the patronages belonged to the Crown and another third to the nobility, the only result of the rule now in force must be to increase that pressure of the Government and the aristocracy which had shattered the representative system and corrupted and degraded public life. Principal Robertson, who had won his way to power as a resolute upholder of patronage, was not to be deflected from his course; but the struggle survived his leadership, and it was not till 1783 that the Assembly discontinued the practice—which had become a mere form—of instructing its Commission to apply to Parliament for relief. It was now discovered that patronage as a means of raising the position and tone of the clergy had belied its promise. One of its most zealous sup-

porters, writing in 1780, the year in which Robertson retired, confessed that "superior spirits," who would not stoop to political intrigue as a means of obtaining a benefice, had "generally betaken themselves to other professions"; and Lord Cockburn, referring to the opening years of the next century, observed that the clergy had failed to sustain their literary reputation and "had fallen almost entirely out of good society." [1]

This struggle, when we consider the spirit it evoked and the dissenting communions to which it gave rise, must be regarded as a factor of importance in the development of the people; but, though the forces which had been raised for ecclesiastical purposes may eventually have been brought into the political field, the primary significance of the contest is not, of course, to be found in its ultimate result. We have seen that the Moderates sought to promote liberal ideas by repressive methods, and it may be said conversely of their opponents that they appealed to popular passion and prejudice in support of obsolete beliefs. Thus, whilst the cry of tyranny on one side was met by that of license on the other, the real question at issue between the two parties was whether the theology and the religious temper which had been natural to the Puritan age should or should not be maintained. In the first half of the eighteenth century the foremost representatives of Moderatism had been men who reflected the fervour, but not the bigotry, of Puritanism, and were, therefore, anxious to soften and simplify its creed; and little opposition was made to the choosing of ministers by the heritors and elders, which, as we have seen, continued long after it had been legally abolished, or even to the rights of patrons, till it was found that

[1] Graham's *Scottish Men of Letters*, p. 99; Cockburn's *Memorials*, p. 204.

the preachers who most readily obtained livings were of this stamp. After the middle of the century the Moderates, though professedly orthodox, took little interest in theology; and, when patronage about 1783 ceased to be a subject of contention, the Popular party, dropping one of its watchwords and emphasising another, began to be known as the Evangelical party.

Evangelicalism was to win an easier and an earlier triumph than the opposition to patronage, for it was already a growing force and was soon to be stimulated by what were supposed to be the consequences of irreligion in France. With the French Revolution, which asserted the determination of the many to wrest their heritage from the few, the eighteenth century, considered as an epoch, comes to an end; and, as the Revolution caused or quickened two movements in British history—a sympathetic movement in politics and an antipathetic movement in religion—the student, who desires to push his researches into the succeeding age, may choose one or other of these roads. We have seen, however, that the political development of the people was interrupted by a period of effectual, though temporary, repression. We shall, therefore, do well, in the first place, to trace the origin and progress of the Evangelical revival.

CHAPTER I

THE EVANGELICAL REVIVAL

If one were asked to indicate in a word the significance of the Reformation as a landmark in human progress, it might be sufficient to say that it re-constructed religion on an individualistic basis. Catholicism, with that condescension to the weakness of our nature, which is the secret of its power, has always treated men rather in the mass than as units,[1] and, whilst superintending their endeavours to cleanse themselves from sin, has provided a refuge for failure in the system of spiritual quarantine administered by the Church. The Reformers rejected this religion, which in their day had largely degenerated into a mere network of external rites; and Calvin gave logical precision to that idea of justification by faith which they had found in the writings of St. Paul and St. Augustine, when he asserted that man since the Fall has been in a state of total alienation from God, and that even the sacrifice of the Cross can avail only those in whom a new disposition

[1] "It duly engages for their safety and welfare, certain conditions being complied with; and it sends them forward, authoritatively countersigned or endorsed, not merely into the unseen world, but beyond its entrance."—Isaac Taylor's *Wesley and Methodism*, p. 158.

is created by the Holy Ghost. Thus, as has been well said, "the birthday of a Christian was shifted from his baptism to his conversion, and in that change the partition line of two great systems is crossed." [1]

It may well have seemed at first as if the intellectual as well as the religious life was to be individualised, for the Reformers had disowned the authority of the Church, and in the exercise of a judgment which did not claim to be infallible, had put a new interpretation on Scripture; but this interpretation seemed to themselves so indisputable that they imposed it on others as truth; and a striking instance of their inconsistency may be cited from Scotland. When the Confession of Faith was presented to the Scottish Parliament in 1560, its compilers promised that if any man could find "any article or sentence repugning to God's holy word," they would either satisfy him from Scripture or amend that which he should prove to be amiss; but the preface which contained this offer was withdrawn when the Confession was re-enacted, whilst Knox was still living, in 1567. Paradoxical as it may appear, the assertion of individualism in one direction and its repression in another proceeded from a common cause; for the idea of personal regeneration which, from its claim to be the Gospel, was eventually to be known as Evangelicalism, was itself a deduction from the supposed depravity of human nature; and, of all dogmas liable to be dissolved by widening sympathy and knowledge, none has proved so precarious as this which asserts that mankind can glorify its Creator only through the exercise of a faculty confined to an infinitesimal fraction of the race. But in accepting personality as the basis of religion the Reformers had

[1] Julia Wedgwood's *John Wesley and the Evangelical Reaction*, p. 157.

liberated a force—intellectual, social, political—which could not be permanently repressed; and the fate of orthodoxy, however long delayed, may be said to have been sealed when it abandoned the vantage-ground of tradition, and appealed in its justification to an open, though inspired, book.

The two British Churches were affected in widely different degrees by the influence which has just been described. In England the framework of Catholicism and much of its ritual survived the deposition of the Pope, and a fusion of these elements with the Calvinism avowed in the Articles and Homilies was attempted in 1559—with such indifferent success that, whilst almost all the Catholic incumbents remained at their posts, many of the Protestant clergy—soon to be called Puritans—refused to use the Prayer-Book and were consequently expelled. No such compromise was possible in Scotland, which in 1560 obtained practically a new Church as well as a new religion; and Evangelicalism, untrammelled by the pressure of a different religious spirit, may here be studied in its natural course.

The Scottish Reformers admitted in some measure the mystical significance of external rites; but this concession to the objectivity of Catholicism steadily declined under the influence of a distinction between real and nominal believers, "joined in the society of the elect," which is thus forcibly expressed: "Of nature we are so dead, so blind and so perverse that neither can we feel when we are pricked, see the light when it shines nor assent to the will of God when it is revealed; only the spirit of the Lord Jesus quickeneth that which was dead." We have seen that Scripture, as interpreted by its official exponents, was accepted

as the standard of religious truth; and, as politics in those days had little interest apart from religion, a sermon, in its practical application, was frequently little better than a political harangue. It was not in the nature of statesmen, however obviously regenerate, to submit with patience to the admonitions of the pulpit; and, in accordance with this antagonism, seconded no doubt by the effect of the Calvinistic theology in distinguishing between nature and grace, the religious and secular forces, which the turmoil of the Reformation had jumbled rather than united, began to drift apart, and to regard each other with mutual distrust as Church and State. At this point Knox, the founder of Presbytery, was succeeded by its organiser, Andrew Melville. There were now to be two kingdoms—one spiritual, whose head was King Jesus, the other temporal, whose head was King James; but in the Church's version—and there was no other—of this Concordat, it was stated that the minister, though not himself exercising the civil jurisdiction, was to teach the magistrate how to exercise it according to the Word; and, in order that the earthly sovereign might be in no doubt as to his subordination, Melville told him that in the kingdom administered by Christ's lieutenants he was "not a king, nor a lord, nor a head, but a member." The civil power was thus confronted by a compact organisation, the leaders of which claimed to arrest the course of statesmanship wherever in their opinion it was prejudicial to religious interests; and its reply to this challenge—the occasion of almost constant strife—was not indeed to abolish Presbytery, but to place it under the supervision of bishops. These were as much civil as spiritual officials, and round them gathered all that was broad and tolerant in the Church, and doubtless

also much that was merely indolent and lukewarm. This system, robust enough till it was perverted by the contagion of Anglican sacerdotalism, held its ground during the forty years which preceded the National Covenant of 1638; but the theocracy, which had hitherto been "a devout imagination" was soon afterwards realised, and continued to grow in audacity, if not in vigour, till in 1650—a date which marks roughly the close of religious wars in Europe and the secularisation of politics—its forces were shattered by Cromwell on the field of Dunbar.

How far theocracy was a natural development of Evangelicalism, and how far it was a product of circumstance, may not be easy to determine; but a species of religion which contemned as worse than useless for eternity all the varied activities of unregenerate man[1] was more likely to produce saints and fanatics than statesmen; and we shall find the theocratic spirit re-asserting itself within the period of this work. Knox always opposed his oracular interpretations of Scripture to the dictates of mere reason; and, a century later, we find his spiritual progeny insisting, in face of a great national emergency, that none but approved Covenanters should be permitted to bear arms. The extreme supporters of this view continued to press it retrospectively as a ground of separation from their brethren long after Cromwell had completed the conquest of Scotland; and the hard and absolute spirit fostered, if not engendered, by their theology was thus frankly

[1] "There is never a good action that we do, suppose it glance never so well before the world, if it be not done in faith, but it is abomination before God and will help forward to our damnation."—Sermon quoted in *Politics and Religion in Scotland*, i. 331. So also the 13th Article of the Church of England declares that "works done before the grace of Christ . . . have the nature of sin."

avowed: "We judge it but the effect of the wisdom of the flesh and to smell rankly of a carnal, politic spirit to halve and divide the things of God for making peace amongst men."[1]

Evangelicalism was soon, however, to outgrow its Puritan or theocratic phase; and in Robert Leighton its highest point of development had already been reached. For Leighton was a Calvinist, and perhaps at one time even something of a Covenanter,[2] who had assimilated the finest spirit of Catholic mysticism, and who had also a critical detachment, a delicate humour and irony, which are surprising in so intense and devout a soul; and, whilst the popular movement with which he is associated rose ultimately to the level of his repugnance to ecclesiastical disputes, it was repelled rather than attracted by the suspicion of indefiniteness which clung to his belief. Not that Leighton was at all inclined to rationalism, but that his reverence and the largeness of his temper made him shrink from speculative rashness and dogmatic precision. His influence was extended and prolonged by a little group of divines, his disciples and friends, who in the words of Bishop Burnet—himself one of their number—sought to raise all who conversed with them "to great notions of God and to an universal charity"; and the same spirit was carried far into the eighteenth century by some of the early Moderates—men such as Wallace, Leechman and the two Wisharts—in whom the latitudinarian temper of their age was united to a fervour and a spirituality which had originated in more troublous times. These, however, were but the pioneers of a movement which had not yet penetrated

[1] *Politics and Religion in Scotland*, ii. 168.

[2] Butler's *Leighton*, p. 181.

to the people, and the liberality of which, in so far as it was doctrinal as well as ecclesiastical, was never to be widely diffused. Presbytery had been established on a non-political basis in 1690; but many of the clergy still regretted the abandonment of its theocratic pretensions, and the Evangelicalism which was fostered by their teaching and example differed little from that of Leighton's contemporary, Samuel Rutherford, which was indeed of a rapturous, not to say ecstatic, kind, but revelled in controversy and was based on the maxim that "indulgence in non-fundamentals, not in fundamentals, is a vain distinction." The unctiousness of Rutherford was, however, becoming a more treasured possession than his rigour; and even amongst the most dogmatic there were some who shrank from that tendency to concentrate on the legal aspect of the Gospel as a treaty between God and his chosen people which has caused Scotland to be designated "the Judaea of the West."[1] Those who delighted in *The Marrow of Modern Divinity*, a treatise condemned by the General Assembly in 1720, were taxed with Antinomianism; and the revolt was carried still further by John Glas—founder of the sect which still bears his name—who condemned the forcible repression of heresy and described the politics of the previous century as "a combination of the Church and State to make Christ a king by violence and the power of the sword." Nevertheless, a mass of inert prejudice, once molten in the fires of the Covenant, had yet to be removed; and it is curious to trace the process by which a force which had originated in Scotland was returned to it from England to be in some measure the instrument of this change.

[1] Principal Sir George Adam Smith's *Modern Criticism and the Preaching of the Old Testament*, p. 245.

Much as Leighton did to redeem from reproach a discredited episcopate, he was probably more successful as a parish minister; and it is a fact in harmony with this view that the clergymen most imbued with his disposition and ideas were, with few exceptions, to be found in the vicinity of his manse at Newbattle. One of these divines, and a man of estimable, though too quiescent, temper, was Patrick Scougal, minister of the parish of Saltoun—in which he was succeeded by Burnet—and afterwards Bishop of Aberdeen; and we are indebted to a son of this prelate for a fine exposition of the spirit of Leighton, whom he had known since boyhood as his father's friend.

Henry Scougal was appointed to the Professorship of Divinity at Aberdeen in 1675, and his life was a short one, for he died only three years later at the early age of twenty-eight; but in this brief space he had attained to a fulness of wisdom and charity which may remind us of Montaigne's saying, "Neither men nor their lives are measured by the ell." In the words of his funeral sermon, "His soul was as wide as the world and his love and goodwill were universal"; and no one who is acquainted with his devotional works will be disposed to cavil at such praise. It is true that he believed, as we learn from one of his sermons, that men are wholly corrupt and can be regenerated only by supernatural aids, which are so sparingly bestowed that "the far greater part of their souls shall be damned unto endless and unspeakable torments"; but no one could be more unwilling "to pry into the hidden rolls of God's decrees," and there is hardly a trace of this or any other theology in his principal work, *The Life of God in the Soul of Man*. Religion, as he is never tired of describing it, is an emanation of the divine life, "the

image of the Almighty shining in the soul of man; nay, it is a real participation of his nature, it is a beam of the eternal light, a drop of that infinite ocean of goodness"; and, instead of proclaiming, as the ordinary Evangelical would have done, an authoritative means of grace, he thus modestly undertakes to show us how we may attain to this life: "But here, if in delivering my own thoughts I shall chance to differ from what is or may be said by others in this matter, I would not be thought to contradict or oppose them, more than physicians do when they prescribe several remedies for the same disease, which perhaps are all useful and good." Scougal is silent on such themes as justification and imputed righteousness, and is content to administer counsel rather than doctrine. We cannot of ourselves acquire faith, which is "nothing else but a kind of sense or feeling perception of spiritual things"; but, like the husbandman, who can cultivate, though he cannot create, corn, we are to "break up our fallow ground and root out the weeds and pull up the thorns, that so we may be more ready to receive the seeds of grace and the dew of heaven"; and, whatever else we do, we are to eschew those stupid animosities which usually "are greatest where the differences are least," and to find our happiness in being loving and charitable: "Had I my choice of all things that might tend to my present felicity, I would pitch upon this, to have my heart possessed with the greatest kindness and affection towards all men in the world." Such at their fountain-head—so free and clear and overflowing—were those waters of Evangelicalism which in the course of their progress were to be confined in so narrow and dark a theological channel.

Scougal's book appeared a year before his death,

with an introduction by Burnet, in 1677 ; half a century later, when some of his discourses and meditations and the funeral sermon by Dr. Gairden were published, it was reprinted ; and these memorials of a pious scholar contributed to the rise of the small society at Oxford which was formed for study and devotion in 1729. *The Life of God in the Soul of Man* must have been highly valued by Charles Wesley, who founded the society which his brother so greatly developed ; for he gave it to Whitefield, and Whitefield said in after years that whenever he returned to Oxford he could not " help running to the spot where Christ in this treatise revealed himself to me and gave me the new birth." The book was also recommended by his mother to John Wesley—who was to edit it—as " an excellent good book " with which she had long been acquainted. It is indeed not improbable that the Methodists, as from their devotion to " rule and method " they were soon called, may have derived the idea of their club from Scougal's funeral sermon, where it is stated that in his student days he had been president of just such a society at Aberdeen.[1]

The Methodism which was thus nursing its piety at Oxford was soon, however, to envelop England in the flame of its missionary zeal ; and, though Scougal may not have been so ready as his father, the too quiescent bishop, to " give over all thoughts of mending the world, which was grown too old in wickedness to be easily corrected," [2] his writings were rather a nursery for live saints than a forcing house for the yet unborn. Such at least was the experience of John Wesley, who had also been influenced by Thomas à Kempis, by Jeremy Taylor, and by his own contemporary, William

[1] Butler's *Henry Scougal and the Oxford Methodists, passim.*

[2] See *Politics and Religion in Scotland*, ii. 263.

Law. Intercourse with the Moravian sect convinced him that conversion is not only supernatural but instantaneous; and it was not till 1738, three years after he had left Oxford, that "about a quarter before nine" on the evening of May 24 he experienced "the change which God works in the heart through faith in Christ." Even Whitefield seems to have been rather enlightened than converted by Scougal's book. It showed him, no doubt, that he "must be a new creature"; but his statement that it actually gave him the new birth is scarcely consistent, from the Methodist standpoint as then understood, with the weeks and even months of agony which he was still to undergo.

Novelty was hardly needed to assist the propagation of doctrines which were to be preached with so intense a conviction of their truth; but at this period, though as old as the Reformation, they had fallen into general neglect. Little of the Calvinism avowed in the standards of the Church of England had survived the expulsion of the Puritan Nonconformists in 1662; and in the eighteenth century, after the Deist attack on revelation had dwarfed smaller issues, subscription to the Articles was regarded, and even defended, as a mere form. Nor was the orthodoxy of the Dissenters long maintained. Unitarian opinions were spreading rapidly amongst the Presbyterians and Baptists, and Evangelicalism was reduced to its last stronghold in Independent chapels.[1] Enthusiasm was foreign to the temper of an age which liked to think of Christianity as enforcing by its sanctions the higher instincts of our nature; and the utterances of the pulpit pointed unmistakably to that identification of the moral and the religious life which the Methodist so vehemently denied.

[1] Bogue and Bennet's *History of the Dissenters*, ii. 299-323.

The breadth and sanity of such religion could not commend it to those who found it wanting in the one thing needful. Whitefield expressed his opinion of its value when he declared that Archbishop Tillotson, whose sermons were the approved model, "knew no more about true Christianity than Mahomet"; and, as an audience for the Gospel, he made little or no distinction between an Anglican congregation and the Indians to whom he had preached during his mission to Georgia. People, who had always marched steadily with their comrades in the battalions of the Church, were appealed to as isolated units, were transported in imagination to the gates of hell, and were told in the baldest language that they "must be born again or be damned"; and their case has been compared to that of the soldier who, after many years spent in the peaceful evolutions of the parade ground, finds himself fighting for his life amidst the din and carnage of battle.[1] It was an aggravation of such teaching for those who were able to withstand it that the most moral man who had not experienced the new birth was described as no better in the sight of God than the vilest outcast; and many persons in aristocratic society must have agreed with the Duchess of Buckingham when she taxed the Methodists with "endeavouring to level all ranks," and declared it "monstrous to be told you have a heart as sinful as the common wretches that crawl on the earth."[2]

It was only for a brief period that the leaders of this movement were admitted by the clergy to their pulpits, and one can easily imagine the scenes that led to their exclusion—a vast concourse of people, so

[1] Taylor's *Wesley and Methodism*, p. 151.

[2] Abbey and Overton's *English Church in the Eighteenth Century*, ii. 119.

numerous, though many could not gain admission, that they thronged the aisles, clung to rails and galleries, and even clambered on the roof, and this multitude moved to groans, tears, and even convulsions by the eloquence of a man who seemed to be almost overpowered by the importance of his theme. Thus, to the regret of Wesley, who was keenly attached to the Church, he and his friends had to resort to field-preaching, the building of chapels and the organisation of a sect; and, great as was the success of their efforts to recover for religion the illiterate masses, it would no doubt have been greater if, like their first teacher, Scougal, they had been "sensible how much Christianity had suffered by men's diving into things beyond their reach." As early as 1740 Wesley's denial of predestination had put an end to his intimacy with Whitefield; and, though the two leaders were never wholly estranged, Methodism was weakened by a Calvinistic secession and by a controversy which raged with great virulence after Whitefield's death in 1770. Victory may have rested with those who maintained that the doctrine of the Fall, which was common ground, entailed that of election; but Wesley had grown weary of dogmatism and could not have been content with a mere dialectical triumph. Towards the close of his long and noble and strenuous life, when the littleness of much that he had contended for stood revealed in a clearer atmosphere and a wider vision, he fell back on that idea of faith as the mere organ of spiritual perception which he had found long ago in the pages of Scougal;[1] and it was, doubtless, as an expression of

[1] Scougal had written: "Faith hath the same place in the divine life which sense hath in the natural." Wesley wrote of faith: "It is with regard to the spiritual world what sense is with regard to the natural world."

his own judgment that he printed the following passage from one of his correspondents: "Perhaps what the best heathens called Reason, and Solomon Wisdom, St. Paul Grace in general, and St. John Righteousness or Love, Luther Faith, and Fénelon Virtue, may be only different expressions for one and the selfsame blessing, the light of Christ shining in different degrees under different dispensations. Why then so many words and so little charity?"[1]

We have seen that Methodism was an offspring of the Church, not of Dissent; and it must be regarded as the revival of an element which, though in great part extruded at the Restoration, had never wholly died out. The father of the Wesleys, a Lincolnshire rector, had been educated for the Independent ministry, and their mother who, on account of the influence she exerted over her sons, has been called "the true founder of Wesleyanism,"[2] was the daughter of a minister who had been ejected in 1662. In a letter written at the outset of his career John Wesley observed that he knew ten clergymen whom he believed to be Evangelical preachers; and, despite the hostility of the Church, the number of such incumbents slowly, but steadily, increased. Some of them, such as Berridge and Grimshaw, did not scruple to itinerate or to employ laymen as their assistants; but the majority found sufficient scope for their energies in parochial work. It was, however, Whitefield, the Calvinist, and not Wesley, who was to be the apostle of Evangelicalism within the Anglican fold. The Calvinistic Methodists found a zealous and influential friend in the Countess of Huntingdon, whom Whitefield hailed as "an apostolic mother in Israel," and with whom Berridge once

[1] Southey's *Wesley*, i. 140, ii. 497. [2] Julia Wedgwood.

remonstrated in these extraordinary terms: "My instructions you know must come from the Lamb, not from the Lamb's wife, though she is a tight woman"; and the Countess was as liberal in training and providing for the ministers of her "Connexion" as she was indefatigable in enlisting as their hearers the leaders of politics and fashion. Horace Walpole found society at Bath forming parties to attend her chapel; and even bishops not infrequently made their way to a curtained seat, just inside the door, which was known as "Nicodemus's corner." Thus, owing in some degree to Wesley, in a greater degree to Whitefield, and most of all to the atmosphere which both had created and diffused, Evangelicalism was once more becoming a power in the Church. As late, indeed, as the beginning of George III.'s reign, Sir William Blackstone, after visiting in succession the principal London churches, declared that "he did not hear a single discourse which had more of Christianity in it than the writings of Cicero"; but in 1764 about fifty clergymen throughout the country were approached by Wesley with a view to the formation of an Evangelical union; and Romaine, one of the leaders of this party, estimated that its numbers had grown towards the close of the century to over five hundred.[1]

We are now to see how Scotland was affected by a movement which proceeded, to some extent, from a Scottish source. Evangelicalism in this quarter had not suffered anything like the eclipse which had overtaken it in the south; for its preachers, if not foremost in reputation, were probably still the most numerous,

[1] Abbey and Overton's *English Church in the Eighteenth Century*, ii. 37, 103, 119, 124, 170; Lecky's *History of England*, Cabinet Edition, iii. 37, 124, 125.

and certainly the most popular; and, though the General Assembly in 1717, and again in 1720, had condemned certain of their tenets, it had done so—professedly at least—only from that fear of Antinomianism which was to estrange Wesley from his Calvinistic friends. One cannot but trace, however, the influence of a feeling hostile to Evangelicalism in what seems at first sight to have been a mere dissension in its ranks. As early as 1717 Professor Simson of Glasgow had been rebuked for teaching that man was not naturally insusceptible to grace, and, twelve years later, he was suspended on grounds which showed that Scotland had not escaped the tendency to Unitarianism which was affecting both English and Irish Dissent. The path opened by Simson was not, indeed, to be widely followed; but orthodoxy, though seldom controverted, had lost its hold on the younger and more vigorous minds, and a temper was being formed no less critical and judicious than that which prevailed in England, but warmer and more animated—not so much a mere reaction from bygone fanaticism as a reaching forth to a finer religious ideal and, above all, to a fuller and richer intellectual life. The devout liberality of William and George Wishart, the first of whom prefaced a new edition of Scougal, of Wallace and Leechman, has been already referred to; and it is a memorable coincidence that the rise of Methodism at Oxford in 1729 synchronised with the appointment to the chair of Moral Philosophy at Glasgow of one who was to be the great opponent of its spirit. This was Hutcheson who has engaged our attention as an economist and political thinker; and the doctrine of man's depravity, which had been little impaired by attempts to disprove it on Scriptural and metaphysical

grounds, was felt to be an hallucination by those who listened to Hutcheson as he expatiated on the goodness and greatness to which humanity had frequently attained. It was to combat the spread of such ethical rather than religious enthusiasm that the General Assembly in 1734 laid an injunction on ministers to "make Gospel subjects their main theme."

Whitefield was the first of the Methodists to visit Scotland, and he went thither in 1741. All the principal towns and many of the intervening villages were included in a tour which occupied about three months, and the mission could hardly have had more of his time and his strength; for, when not engaged in preaching in churches, hospitals and private houses and to vast audiences in the open air, he was holding what he called "a levee of wounded souls"; and on his return to Edinburgh, after working his way to and from Aberdeen, he is said to have preached and lectured sixteen times in three days. We are told by himself that "persons of great rank" attended his early morning service in the fields; and his reception in official quarters was much more cordial than that to which he was accustomed in England. Many pulpits were placed at his disposal; the Earl of Leven and Melville, who had been the King's Commissioner to the last General Assembly, invited him to his house; and the towns of Glasgow, Aberdeen, Stirling and Paisley made him an honorary burgess. Whitefield had good reason to believe that very many of his hearers had been "brought under conviction"; but it is remarkable, in the case of one who was pronounced by the best judges to be not only a great orator but a great actor,[1] that the

[1] Lecky, iii. 60.

most extraordinary effects of this kind occurred later, and were not the results of his personal appeal. The minister of Cambuslang had for some time been preaching the new birth to his parishioners, and had brought before them, both orally and in print, a record of the conversions which Methodism had achieved. Whitefield on this occasion did not visit Cambuslang; and it was not till January, 1742, three months after he had left Scotland, that there occurred in this parish the tremors, faintings and paroxysms—more often associated with Wesley than with Whitefield—which became notorious as "the Cambuslang work." So great and so prolonged was the excitement that services were held daily for seven or eight months; other parishes were soon infected; and, when Whitefield returned to Scotland in June, the epidemic was at its height. On the day of his arrival at Cambuslang he preached at two and again at six, and a third service, in which he was assisted by the parish minister, lasted from sunset till one in the morning. "Such commotions, surely, were never heard of," he wrote, "especially at eleven o'clock at night. For an hour and a half there was much weeping, and so many falling into such deep distress, expressed in various ways, as cannot be described. The people seemed to be slain in scores." [1]

The gospel of peace must have been preached with some vigour when it could point to such triumphs as these; but Whitefield had a message for saints as well as for sinners; and his mission in this respect had less dubious results. In 1730 the General Assembly had been treated to what Wodrow described as "a satire

[1] Butler's *Wesley and Whitefield in Scotland, passim.* See also *Scotland and the Union*, p. 266.

on our former Presbyterian times" ;[1] but the preacher was, of course, a Moderate; and the Evangelicals might have continued to revere the Covenant from afar as the highest point of their religious tradition if a controversy provoked by Ebenezer Erskine had not brought them back to that extinct volcano, and thus dissipated the enchantment which distance had lent to their view. For Erskine, who had been one of their leaders till he plunged into what they regarded as unjustifiable schism, made the Covenant his watchword, and faithfully fulfilled its spirit by debarring himself and his adherents from all intercourse in religion with his former friends. To Whitefield, who was to be its first victim, such intolerance was no less bewildering than abhorrent. It was the Seceders who had invited him to Scotland; but, when he could not be persuaded to preach only to "the Lord's people"—his business, as he told them, being rather with the Devil's—they cast him off; and during his second visit they were even considerate enough to appoint a day of fasting and humiliation for the reception accorded elsewhere to this Anglican priest whom they had failed to monopolise, and for "the present awful work upon the bodies and spirits of men going on at Cambuslang." One of them, their minister at Edinburgh, was so appalled by this spectacle that he described himself as "like to freeze with horror, impotent of speech." The large-hearted piety of Whitefield stood forth conspicuously on this sombre background. "This gentleman," said the *Scots Magazine*, "recommends the essentials of religion and decries the distinguishing punctilios of parties"; and Whitefield fully earned this eulogium by administering Presbyterian baptism and communion,

[1] *Analecta*, iv. 134.

and by avowing that he would avail himself of any pulpit that might be open to him—even the Pope's. The last of his fourteen visits to Scotland was made, ten years before his death, in 1768. It may truly be said of him that he completed what Erskine had unwittingly begun—the rupture of Evangelicalism with its theocratic past; and Thomas Somerville, writing from the Moderate standpoint, remarked as "a curious fact," which had not been sufficiently recognised, that the influence of Whitefield contributed in great measure to "the extirpation of these narrow prejudices so prevalent among the Presbyterians in Scotland, and the introduction and the more rapid progress of a Catholic spirit." [1]

The truth of this remark became manifest when Evangelicalism in 1761 made its next addition—that of the Relief Church—to the battalions of Dissent. The originator of this movement, and an associate of Whitefield, was Thomas Gillespie, who, for his refusal to assist in enforcing the law of patronage, had been summarily deposed. The Relief people ignored the Covenant, for which indeed they had scant respect, and, far from refusing to have fellowship with their brethren of the Establishment, they soon announced their intention to hold communion even with such Episcopalians and Independents as they should deem to be "visible saints."

Wesley made his first appearance in Scotland, ten years after Whitefield, in 1751, and his visits, twenty-two in number, continued at short intervals till 1790. The cleanliness and comfort of the inns quite belied the "miserable accounts" he had heard of them in England, and it is evident that the country, despite

[1] Somerville's *Life and Times*, p. 66.

its cold springs and inhospitable summers, pleased him more than the people. Edinburgh was indeed "one of the dirtiest cities" he had seen—dirtier even than Cologne; but its situation was "inexpressibly fine," and its High Street "far beyond any in Great Britain." He was struck with the rapid progress of Arbroath, and considered Perth "the sweetest place in all North Britain unless perhaps Dundee." The signs of general progress, both urban and rural, the amount of cultivation and of sunshine in districts so far north as the Moray Firth, the clearness of the rivers—so unlike his own sluggish streams—the beauty of "wood and water and gently rising hills" are all noted in his *Journal*; and he found a melancholy satisfaction in visiting the haunts of Queen Mary, whose memory he revered, and the cathedrals and abbeys which had suffered from "the work of the devil." Knox's *History of the Reformation* disgusted him with the author as "fierce, sour and bitter of spirit," and he was repelled by Thomas Reid's admiration of Rousseau; but *Douglas*, which had scandalised the religious public of Edinburgh,[1] was "one of the finest tragedies I ever read," and he pronounced Ossian to be "little inferior to either Homer or Virgil; in some respects superior to both." The experiences of the preacher were, however, less agreeable than those of the traveller. Wesley met with considerable encouragement at the outset of his work; for he was welcomed by Dr. Gillies, the Glasgow minister who assisted, and was to be the biographer of, Whitefield; many of the parish ministers admitted him to their pulpits; his meetings were well attended; and the people, far from reviling or stoning him, as had frequently happened in England, listened to him with

[1] See *The Awakening of Scotland*, p. 161.

attention and respect. "What an amazing willingness to hear," he exclaimed in 1763, "runs through this whole kingdom!" But he had soon to confess that the apparent popularity of his preaching was out of all proportion to its power. He found it necessary to resort more and more to that religious terrorism which he euphemistically called "plain-dealing"; and this device, to which so many English congregations had succumbed, was received with such stolid patience that when, as at Nairn in 1779, it did produce some effect, he described it as rending rocks and breaking "hearts of stone." In 1784 he wrote: "I am amazed at this people. Use the most cutting words and apply them in the most pointed manner; still they hear, but feel no more than the seats they sit upon"; and, after three weeks more of such effort, he can but hope that good may be "done even here, provided the preachers be 'sons of thunder.'"[1]

In an atmosphere so unpropitious to its appeal, Methodism could not enlist many recruits. Societies were indeed formed in all the principal towns—the largest in Aberdeen, the second largest in Arbroath; but Glasgow in 1766 could muster only seventy-four Wesleyans, Dundee about sixty; and in two years (1768-1770) the Edinburgh society dwindled from over one hundred and sixty to about fifty.

It is not difficult to account for so marked an exception to the rapid spread of Methodism throughout the British Isles. The doctrine of regeneration, which had elsewhere to be rediscovered, was no novelty to the Scots; and Wesley was sensible of this handicap when he wrote: "The misfortune is, they know everything;

[1] Wesley's *Journal*, appended, in so far as it relates to Scotland, to Butler's *Wesley and Whitefield*.

so they learn nothing." Moreover, they were attached to their pastors, who in general were not unworthy of their esteem, and they were not disposed to look for guidance to an alien and prelatical Church. Even Whitefield, the most eloquent and the most orthodox of Anglican preachers, who sought to convert only, not to proselytise, had been quite eclipsed as a revivalist by the obscure minister of Cambuslang; and Whitefield had warned his former colleague that a man of his views, though he "spoke like an angel," could accomplish nothing in Scotland. Wesley's repudiation of Calvinism, little as it appeared in his preaching, was indeed the great obstacle to his success; and the decline of his society at Edinburgh after 1768 is readily understood when we remember that he had recently been attacked in print by Dr. John Erskine, the Evangelical leader, on the ground that he disguised his real principles and was afraid to assert in Scotland what he had elsewhere freely avowed, "that right opinion is a slender part of religion or no part of it at all."[1] This was truly a fatal blow; for Scottish Evangelicalism, the emancipation of which from ecclesiastical bondage had been completed by Whitefield, still preferred the cells of orthodoxy to the open air of doctrinal freedom, and can only have been shocked when Wesley, speaking plainly enough at last, declared at Glasgow in 1788: "There is no other religious society under heaven which requires nothing of men in order to their admission into it but a desire to save their souls.... The Methodists alone do not insist on your holding this or that opinion, but they think and let think."

Hostility to free thought was a common characteristic of Scottish and English Evangelicalism; but

[1] Moncreiff's *Life of John Erskine*, pp. 251, 253.

in many respects there was more of contrast than of resemblance between these two developments of religious life. The force, which had recently arisen in the Church of England to fill the place vacated by Puritanism in 1662, may almost be regarded as a new creation, and was still, so to speak, in the bloom of youth. In the Scottish Church, on the other hand, where it embodied an ancient and unbroken tradition, Evangelicalism was rather venerable than robust. The spirit of enlightenment, which had inspired the work of Hutcheson at Glasgow as opposed to that of Wesley at Oxford, was now by far the most powerful factor; much of the opposition it encountered had succumbed insensibly to its spell; and the residue, which could not be absorbed, was continually being compressed to the level at which it overflowed into the channels of Dissent. How far the Evangelicals had drifted on the current of the time may be seen from their attitude towards patronage, which was opposed first on religious and even Scriptural grounds, then on grounds of expediency, and finally, when resistance had become hopeless, was accepted readily, if not even with a sigh of relief. And the mode of preaching, which prevailed amongst "Gospel ministers" at the outset of this process, had been greatly modified before its close. Blair and Walker, who preached from the same pulpit, and of whom it has been wittily said that the one appealed to the *élite* of Edinburgh and the other to the elect,[1] were both famous for the elegance of their diction; and the Calvinism of the latter did not save him from being described as "the icy Walker."[2] Even Dr. Erskine, Wesley's opponent and the colleague of Principal

[1] Graham's *Scottish Men of Letters*, p. 124.

[2] Philip's *Life of John Campbell*, p. 34.

Robertson, could review with evident satisfaction the progress of "a rational, accurate and useful strain of preaching" which had accompanied the growth of Moderatism. Tillotson found in him an indulgent critic;[1] and his own excellent sermons, though unquestionably Evangelical in tone, were calculated, on the whole, rather to edify than to convert. It may have been to discourses of this nature that Wesley referred when he said that "they contained much truth, but were no more likely to awaken one soul than an Italian opera."[2] Nor was there much in the way of sanctity to distinguish those who clung most tenaciously to the doctrines of grace. Apart from their Sabbatarianism and repugnance to the stage, the Evangelicals may have lived on a somewhat higher plane than their rivals; but they followed for many years a clergyman and a layman so notorious for their dissipated habits as Webster and Crosbie; and one has only to think of Romaine or Wilberforce in this connexion to realise how wide a gulf there was between the over-ripe Evangelicalism of Scotland and the trim and cruder growth which had sprung up south of the Tweed.

It was not only through the exertions of Whitefield and the Methodists that the force of English Evangelicalism was brought to bear on Scotland; for several great ladies, whose social orbit embraced Edinburgh, London and Bath, had also their share in this work. Walker—though some of them preferred Webster—was the spiritual director of these women, prominent amongst whom were Lady Maxwell, Lady Glenorchy, and the Countess of Leven; and Walker continued till his death to conduct their devotions, at first in one or other of their drawing-rooms, and latterly at a weekly meeting

[1] Erskine's *Sermons*, i. 58, 257. [2] Southey's *Life of Wesley*, ii. 141.

in his own house. Religious cordials, more or less illicit, were, however, needed to sustain them under the tepid exhortations of their elegant pastor—so elegant that, when one of them is disposed to work amongst the poor, he declares "that her projection is too prominent for a low situation." Lady Maxwell found support in Methodism. Deprived at the age of nineteen of her husband and her only child, she was now leading a life of renunciation under the guidance of Wesley, whom she liberally assisted in the building of his school at Kingswood. She herself founded and endowed a school at Edinburgh, and eventually she joined the Society without separating from the Kirk.[1] Lady Glenorchy was less addicted than her friend to the spiritual stimulants of Dissent; but we find in her diary such entries as this: "I heard Mr. Walker in the morning, but felt no life in my soul and saw all around me as if they were dry bones." Her soul was no doubt a source of disquietude to others as well as to herself; and on one occasion, after communicating at a country church, she blessed the name of the Lord who had "touched the hearts of my family and made them receive me when I returned with good humour."

This lady, who had married the Earl of Breadalbane's only son, has been called "the Scottish Lady Huntingdon," and her career in that character originated in an intimacy she had formed in England with the sister of Rowland Hill. In 1770, wishing to provide a common pulpit for those of all denominations "who preached pure Evangelical doctrine," she hired a hall which had once been a Catholic chapel. This project, which Walker had strongly opposed, displeased the religious public; and after about a year, during which

[1] Southey's *Wesley*, ii. 66; Tyerman's *Wesley*, ii. 471.

her varied assortment of preachers attracted more attention than respect, she procured the services as minister and domestic chaplain of De Courcy, a Calvinistic Methodist, who was then serving a curacy in Shropshire, but was of such note in the Evangelical world that Whitefield's congregation in London was anxious to have him as his successor. Wesley, whose recommendation he seems to have had as well as Miss Hill's, called him ironically "an angel of a man." De Courcy's success at Edinburgh was worthy of his fame; but his Calvinism soon put him at variance with the Wesleyan preachers who were still permitted to officiate one night in the week. Lady Glenorchy was herself orthodox; and, though we find her thanking Wesley for having sent her "a Christian innkeeper and schoolmaster," [1] she confided to her diary that she had "heard him preach thrice and should have been better pleased had he preached more of Christ and less of himself." In June, 1771, finding that Calvinists and Wesleyans could not agree, and no longer willing to countenance the latter, she closed the chapel.

A few months later, she obtained a considerable fortune through the death of her husband, who, despite what her biographer calls "his vexing behaviour towards her," or perhaps in order to atone for it, left her all his means to be employed, "as she shall see cause, for encouraging the preaching of the Gospel." As many people could not obtain seats—which they wished rather to rent than to use [2]—in the parish churches of

[1] Tyerman's *Wesley*, iii. 64.

[2] "Such is the demand for seats, and so little are they occupied when obtained, that we are tempted to conclude the genteeler part of the congregations in Edinburgh deem the essential duties of religion to be concentrated in holding and paying rent for so many feet square in the inside of a church."—Arnot's *History of Edinburgh*, p. 279. "The practice

Edinburgh, and the poor could scarcely "find room to stand," she now proposed to build a place of worship capable of accommodating at least two thousand persons; but the ecclesiastical authorities turned a somewhat critical eye on this temple of Evangelicalism, which was to be in communion with them but not under their control, when it was opened by Erskine and Walker in 1774. It was inevitable that suspicion should arise when she made trial of a minister from England who proved to be so keen a Dissenter that he refused to settle in Edinburgh, except on terms of separation from the Church; and, though she sought to retrieve this step by offering the benefice to a parish minister, the Synod of Lothian, on the motion of Dr. Carlyle, resolved to discountenance her chapel. The General Assembly reversed this decision; but, owing to various causes, the settlement of a permanent pastor was delayed till 1780, when Thomas Snell Jones, an Englishman, but one who had been ordained by the Scottish Church Presbytery in London, was appointed to the charge. Jones, who was to write his benefactor's life, had received his theological training at Lady Huntingdon's seminary in Wales.[1]

The Countess of Leven, one of the three ladies who have been mentioned as representatives of Evan-

of taking money at the door for seats, a practice, I believe, peculiar to Scotland, ought to be abolished. The poor people, I am informed, are not even allowed to stand in the open spaces of some of the well-attended churches, without paying for it."—Robert Haldane's *Address to the Public concerning Political Opinions, etc.*, p. 75.

[1] Jones's *Life of Willielma, Viscountess Glenorchy, passim.* Lady Glenorchy can have had little objection to patronage, since she reserved the appointment of a minister to herself and made no provision for consulting the congregation. She was frequently in England, and founded chapels at Matlock, Exmouth and Carlisle. Her health was always precarious, and she died in 1786 at the age of forty-three.

gelicalism in high life, was closely identified with the Church of Scotland, as her husband had for many years been the Royal Commissioner to the General Assembly, and Dr. Erskine was her nephew. Whitefield, for whose refreshment, "when he was quite exhausted," she used to make "a little warm punch or negus, mixed with the yoke of an egg," found in her a devoted friend; and she took an almost motherly interest in John Campbell, an ironmonger in Edinburgh, whose religious and philanthropic activities will bring him once and again into the track of this work. In 1789, during a visit to London at the age of twenty-three, Campbell made the acquaintance of almost all the leading Evangelical divines, and especially of John Newton, who had been vicar of Olney, and as such had exercised a somewhat unwholesome influence on the poet Cowper. He was in the habit of writing weekly to Lady Leven, who had made him "her almoner, her newsman, her book-purveyor and her counsellor." The venerable Newton, who had entered the ministry—after closing his adventurous career as seaman and slave-trader—some years before his young friend was born, wrote thus to him in 1793: "I constitute you my agent in Edinburgh, and solicit to be your agent in London." The only thing that seems to have been at all delayed in the religious development of this precocious youth was his conversion, which, as he believed, had not yet taken place. In November, 1794, he began to undergo the new birth—chiefly owing to his sense of the guilt he had incurred in attending supper-parties; and the process, which was not completed till "the evening of the twenty-sixth day of January, 1795," was more than usually painful; for he lived in constant dread of death and was "so

tormented that I feared my bowels would rend with the burning and boiling of the fired conscience."

If this spiritual indisposition was the origin of his faith, it can but have quickened his devotion to good works. Several Sunday schools, the Edinburgh Tract Society, a Magdalen institution at Edinburgh and another at Glasgow, were the outcome of his exertions; the claims of business and of a vast correspondence did not deter him from contributing largely to periodicals or from writing a religious story-book, which had an immense circulation, being the first and long the most popular of its kind; and so many children were dependent on him that, when urged to marry, he used "to count his orphans by his fingers until he proved that his family was large enough already." Apparently, however, his associates found it less easy than himself to avoid the responsibilities of marriage. Zachary Macaulay, father of the historian, coming to Edinburgh at a time when he was Governor of Sierra Leone to visit his four sisters, placed them under the care of Campbell, to whom he had brought a letter of introduction from Newton; and Campbell thus tells us how he discharged his trust: "In the course of a year after they came under my wing, I was bridegroom's-man to three out of the four." Macaulay repaid these good offices by assisting Campbell in a scheme he had formed for bringing over some African children to be educated in England; and this project, which rather disappointed his expectations, brought him into communication with the philanthropists, such as Wilberforce and the two Thorntons, who formed the Evangelical coterie of Clapham, and were known as "the Clapham sect." [1]

[1] Philip's *Life of Campbell*, pp. 81, 93, 95, 106-109, 137, 162, 167, 227, 262.

One cannot review the religious life of this period without observing that in all its phases it had to accommodate itself to a certain current of thought. The men who initiated and sustained these movements were the children of their age; and whether it is a latitudinarian Moderate who arrests our attention, or an undenominational Evangelical, or a Seceder constrained after all to expurgate his beloved Covenant,[1] or a member of the Relief lapsing through his rejection of the Covenant into Voluntaryism, or a Methodist subordinating both ecclesiasticism and dogma to spiritual emotion, we find in all such cases a tendency to break away from the rigour of an intolerant past and to expand towards the light. But the eighteenth century, under whose untroubled sky such developments had taken place, was now far spent, and an era of very different character may well have been anticipated from its stormy and tumultuous close.

We have seen something of the political ferment aroused in Scotland by the French Revolution when it had belied its early promise and had disclosed itself as an anarchical and anti-Christian movement—how the denunciations of Burke were answered by the plaudits of Paine, how the upper and middle classes sought to repress and exorcise the democratic spirit, and how the masses, undeterred by the bloodshed and confusion at Paris, responded eagerly to its appeal. Similar to this twofold influence, but combining in very different proportions the elements of antagonism and sympathy, was the effect produced on the religious public. There was, of course, nothing but condemnation for the French in so far as they had repudiated the religion of Christ. A movement towards Socinianism

[1] See *The Awakening of Scotland*, p. 236.

and in favour of abolishing subscription to the Confession of Faith, which had made some progress amongst the Moderate clergy, was at once checked; anything that savoured of heterodoxy was looked upon with suspicion; and Evangelicalism gained more than any other form of religion from this reaction, partly because it was the furthest removed from that humanism which had discredited itself in France, and partly because it was in itself a popular force, representing, as has been said, "the ideas of the people, of those who live by petty commerce and manual labour," [1] and was, therefore, the best available antidote to the teaching of Paine. Theology thus recovered much of the credit it had lost; and the upper classes were confirmed in that opinion of its value as a social asset which had been expressed in earlier days by Horace Walpole when he remarked of a dinner-party at Paris that "the conversation was much more unrestrained, even on the Old Testament, than I would suffer at my own table in England if a single footman was present." [2] It is true that all the bloodshed perpetrated by infidel hands in France was inconsiderable as compared with that which had been caused during an equal period in that country by the strife of creeds; [3] and, if it was argued that such crimes were the result of a perversion of faith natural to barbarous times, it may well have been replied that they had ceased only with the triumph of secular ideas, and that philosophy, which makes no appeal to passion, could with even less justice than religion be held responsible for the perversion of its

[1] Benn's *History of Rationalism in England*, i. 176. [2] *Ibid.* p. 211.

[3] At the capture of Beziers during the crusade launched by Pope Innocent. III. against the Count of Toulouse, 20,000 persons are said to have been put to the sword, and at Lavaur 400 were burned in one pile.

spirit. The two great writers, who did most to prepare the way for the Revolution, were both rationalists; but Voltaire was no believer in popular government, and Rousseau, though an extreme democrat, declared that "the blood of a single man is more precious than the liberty of the whole human race." Such distinctions, however, at a time of excitement and panic, were not likely to be made; and the depravity of unregenerate human nature was supposed to be established because men who had renounced Christianity, instead of making it a pretext for their crimes, were cutting each other's throats.

Many who abhorred the rationalism of the Revolution were not insensible to its political ideals, and on this account it met with less general hostility in the ecclesiastical than in the theological sphere. At a time when the constitution was believed to be in danger, and innumerable public bodies were pledging themselves to its support, the highest certificate of loyalty could be earned only in communion with the Church; and the suspicion incurred by Dissenters was increased by a movement which was gaining ground amongst them, and especially amongst the Relief. We have seen that these people had discarded the theocratic Presbytery of the Covenant; and they were now advancing to the position—which indeed Hutcheson, their principal apologist, had already reached [1]—that religion as a purely spiritual concern ought to have no connexion with the State. Animated by the new popular spirit, with which they were in much closer touch than their brethren of the Establishment, several Relief ministers gave public expression to this view; and, whilst blaming the French for having dispensed with religion, even in

[1] See *The Awakening of Scotland*, p. 237.

so objectionable a form as Popery, they were disposed —severely orthodox as they were—to excuse them on the ground "that they had never known Christianity but as the Man of Sin." Hutcheson, who ministered to a congregation in Glasgow, made himself so conspicuous by opposing the participation of Great Britain in the war against France that he was attacked in the newspapers and deserted by a portion of his flock.[1]

No less sensitive to the aspirations of the people, the Seceders, who had long been divided into Burghers and Antiburghers, were likewise unable to keep their footing on the old paths; and their instability was rather advertised than checked by the ark of the Covenant which these prisoners of theocracy still dragged at their heels; for many of them refused their homage to the constitution only because it involved the ecclesiastical supremacy exercised by the Crown in England and the presence of bishops in the House of Lords, and were, therefore, liable to be classed as Radicals when they were really Covenanters. Nevertheless, there is evidence that the Declaration of the Rights of Man had found its mark in both branches of this peculiar people. One minister, who had published an attack on the advocates of reform, was called to account by his brethren; two others were suffered without rebuke to follow Hutcheson in denouncing the alliance of Church and State; and the Antiburgher Synod found it advisable in 1796 to explain that they excluded from their approval of the Confession of Faith any passage "which, taken by itself, seems to allow the punishment of good and peaceable subjects on account of their religious opinions and observances." A few months later, they followed up this announcement by revising

[1] Struthers' *History of the Relief Church*, chap. xxi.

the voluminous document, known as their Testimony, in which Ebenezer Erskine and his associates had formulated the grounds of secession; and the outcome of their labours, which occupied eight years, may be inferred from the objections made to it by four ministers —that "the duty and warrantableness of civil rulers employing their authority in an active support of the interests of religion" were denied, and that the Covenants, both in their substance and in the manner of enjoining them, were "either directly or by native consequences condemned." The four protesters, one of whom was M'Crie, the future biographer of Knox and Andrew Melville, being characteristically unable to join any of the other Presbyterian bodies "who may be in the main hearty friends to the reformation testimony," found themselves "shut up to the necessity of meeting apart"; and hence the Antiburghers, themselves a division of the Seceders, begat a sub-division which called itself the Constitutional Associate Presbytery.

Meanwhile, in the other branch of the Secession a similar cleavage had taken place. The Burghers could not agree to revise their standards, and all they did was to draw up a "preamble" to the questions which candidates for the ministry were required to answer, declaring that they disapproved of compulsory measures in religion, and that, whilst admitting the obligation of the Covenants, they did not presume to determine its nature or scope. A proposal had, however, been made, and even tentatively adopted, that the Synod should not insist on the doctrine of the Confession with regard to the power of the civil magistrate in religion, and seventeen ministers had dissented from the preamble on the ground that it recognised this power. Agitated by a controversy which had thus a wider

bearing than its actual result, the members of this body were soon divided—in popular parlance—into New Light Burghers and Old Light or Original Burghers; and the latter, whose light, such as it was, seems to have distorted their vision, did not scruple to tax the majority with having embraced "French principles."[1]

Seceders and Jacobins can hardly, one may think, have had much in common; but we have seen that Evangelicalism had an element akin to the Revolution in the importance it attached to the individual soul; and some, at least, of those who had discovered that this form of religion could flourish only on a voluntary basis were not unfavourable to the agitation for parliamentary reform. Professor Lawson, for example, a leader of the New Light Burghers, was in sympathy with the Friends of the People, and a friendly recommendation to be more reticent in the expression of his political views was conveyed to him from the wife of the Sheriff of Selkirk in 1794.[2] Newton was greatly alarmed to hear that his young friend, Campbell, had expressed himself as in doubt whether some of the persons transported for sedition were justly condemned —an indiscretion for which "the philanthropic ironmonger" was rebuked by Dr. Erskine, and sternly, though unofficially, by one of the magistrates of Edinburgh;[3] and we shall meet with a similar incident in the early career of one of the two brothers whose services to Evangelicalism must now be reviewed.

Robert Haldane had lost his father in infancy, and he was only twenty-two years of age when in 1786,

[1] M'Kerrow's *History of the Secession Church*, vol. ii. chaps. iv. and viii.

[2] Macfarlane's *Life of George Lawson*, pp. 383-387.

[3] Philip's *Life of Campbell*, p. 89.

after serving as a midshipman in the American War and making "the grand tour," he settled in the country as proprietor of Airthrey, near Stirling. For several years he took no part in politics, contenting himself with the improvement of his estate; but the French Revolution roused his enthusiasm; and in 1794, at a meeting of the freeholders of his county, which had been summoned to consider the expediency of raising a volunteer corps, he expressed his strong disapproval of the war against France—an opinion which he shared with his late commander, Sir John Jervis, afterwards Lord St. Vincent—and suggested to the assembled gentry that "they would have been much better employed had they been meeting to consider how all abuses that were generally allowed to be such might be reformed." In consequence of this speech the young laird was left to the enjoyment of his own Jacobinical reflections; and the only people who continued to frequent his house were certain Evangelical ministers, under whose influence he gradually relinquished the hopes he had formed of a democratic government constructed "from its foundation on a regular plan," and resigned himself to a belief in "the total corruption of human nature." Disillusioned, but not discouraged, he now sought an outlet for his energy in a direction consonant with his new ideas, and resolved to sell his estate in order to provide funds for a mission which he and some of his clerical friends proposed to establish in Bengal. The political repute of its author was hardly needed to procure the rejection of this scheme by the Directors of the East India Company, one of whom is said to have "declared he would rather see a band of devils in India than a band of missionaries"; but Haldane was not to be deterred from self-sacrifice;

and Airthrey, some farms excepted, was sold to Sir Robert Abercromby in 1798.[1]

Eleven years after Robert Haldane had quitted the Navy at the Peace of 1783, he was followed into retirement by his younger brother, James Alexander, a captain in a more lucrative service—that of the East India mercantile marine. This gallant officer, whose cool interposition had once averted the blowing up of a ship by its mutinous crew, had arrived at similar conclusions with regard to the depravity of his nature; and the fruits of grace were in his case more promptly and conspicuously displayed. He lived for some time in Edinburgh, where he became intimate with the zealous and indefatigable Campbell; in 1796 he accompanied Simeon, the Cambridge divine, on a tour of three weeks through Fife and the Highlands, which initiated the distribution of tracts; in the following spring he and Campbell undertook a mission to the west, which resulted in the formation of sixty Sunday schools; and soon afterwards, in May 1797, at the mining village of Gilmerton, near Edinburgh, he made his first appearance as a lay preacher. A West Indian merchant named Aikman, who had sold his business in Jamaica "from reluctance to be associated with traffic on the Lord's Day," was his colleague in this venture; and, emboldened by the success of their effort, the two evangelists started in July to traverse Scotland from Queensferry to the Orkneys, preaching in every considerable village on their route and leaving behind them a trail of 20,000 tracts.

Lay preaching had hitherto been confined almost exclusively to the Wesleyan itinerants whose labours

[1] Robert Haldane's *Address to the Public concerning Political Opinions*, etc.; *Memoirs of the Haldanes.*

were usually inoffensive and always obscure; but it became a more formidable weapon when wielded by one who had mounted from a quarter-deck to a pulpit. The Gospel as delivered by Captain Haldane and echoed by Aikman was a blunt and sailor-like message; and they never hesitated to expose the doctrine of the parish minister when it differed from their own. Thus at Kirriemuir they listened with horror to a sermon in which it was taught that man, though a very corrupt creature, could yet do something to ensure his acceptance with God; "and it surely," wrote Haldane in his Journal, "must affect the minds of all who know the importance of the Gospel and the value of men's souls to learn that immediately afterwards upwards of 1,500 persons, daily acquiescing in such doctrine as has been mentioned, professed to commemorate the death of Christ." Returning at the close of the service to the market-place, where they had already preached in the morning, Haldane and his friend "told the people plainly that what they had heard was not the Gospel," and said that they prayed to God for the minister "that He might give him repentance to the acknowledgment of the truth."[1] These and similar exploits of "an East India captain," cruising at large under the flag of orthodoxy but without a commission, were made widely known through the publication of his Journal; and a society, directed and worked by laymen, was formed in 1798 "for propagating the Gospel at home"—a society which rejoiced indeed "in the number of faithful ministers in connection with the Church," but did not conceal its hostility to "many of a very different description," whose teaching savoured more of good works than of faith, "and who entertain

[1] *Memoirs of the Haldanes*, p. 155.

other sentiments equally destructive to the souls of men." [1]

Neither the Journal nor the society gave unqualified satisfaction to several of the Haldanes' friends. Dr. Erskine was of opinion that laymen "should not take a text, but just give an exhortation"; Lady Leven, honouring the preachers but regretting their lack of prudence and meekness, declared that they were "persecuting the Church, if not levelling at the constitution"; [2] and Simeon, when about to leave Cambridge for a tour in the north of Scotland, solicited the captain's good offices with a view to obtaining facilities for preaching, but insisted that this obligation to his "dearest brother" should be "kept secret from every living creature." "It is not my plan to preach as you did, and therefore I wish nothing to be said to me upon that subject." About a month after Simeon had passed through Edinburgh on his way north, James Haldane and Aikman, in June 1798, set out on an expedition to the south and south-west; and, deferring to the remonstrances of their friends, they had previously announced in the press: "We are resolved to confine ourselves in our intended journey to the declaration of what we consider as the truth of God, without making personal remarks on any individual." [3] They had already, however, done enough to provoke the hostility of the Church; and in the next chapter we shall see how Moderatism retaliated on these disturbers of its peace.

Meanwhile, Robert Haldane, whose voice did not permit him to emulate his brother as a field preacher,

[1] *Account of the Proceedings of the Society*, p. 3.
[2] Philip's *Life of Campbell*, p. 139.
[3] *Memoirs of the Haldanes*, pp. 94, 197.

was spending on various purposes connected with this movement the money he had realised from the sale of his estate. The new Gospel society, though it invited subscriptions, depended mainly on his support; and Congregationalism, as distinct from such remains of Cromwellian Independency as still survived in Scotland, had its origin in the "Tabernacles" built through his generosity at Edinburgh, Glasgow and Dundee. James Haldane, though he continued for several years to itinerate, was ordained minister at Edinburgh, where Aikman also built a chapel for himself; Ewing, who had shared the pastorate of Lady Glenorchy's with Jones, was settled at Glasgow; and Innes, one of the ministers of Stirling and a member of the proposed mission to Bengal, at Dundee. Similar places of worship were soon erected at Perth, Aberdeen and other northern towns. In 1805 some two hundred preachers, trained and supported at Robert Haldane's expense, were dispersed throughout the country; and from 1798 to 1810 his expenditure on these and other projects amounted to over £70,000.[1]

The congregation formed by the Haldanes at Edinburgh met for some time in the Circus; and Evangelicalism, of the itinerant and undenominational type reviewed in this chapter, may be said to have terminated with the preacher whom they invited from England in 1798 to open the Circus Church. Rowland Hill, sixth son of the baronet of that name and the brother of Lady Glenorchy's friend, had been converted—if he was ever unconverted—as a schoolboy at Eton; and, on going up to Cambridge in 1764, he gathered round him such a company of enthusiasts as the Wesleys had formed at Oxford in 1729. His influence, indeed,

[1] *Memoirs of the Haldanes, passim.*

extended to Oxford; and six undergraduates of that university, who had followed his example in visiting the prisoners and the sick and in field-preaching, were expelled—an occurrence which drew from one who was present at their trial the caustic remark "that, as these six gentlemen were expelled for having too much religion, it would be very proper to inquire into the conduct of some who had too little." Undeterred by the fate of his Oxford friends, Hill persevered in the same course, and was warmly encouraged by Whitefield, who, in his peculiar phraseology, addressed his aristocratic disciple as "dear Esq. Hill," as "a captain or an esquire sent of God," as "a preaching, prison-preaching, field-preaching Esq."; and, though he got no further than deacon's orders, and was thus, as he expressed it, "spoilt in the manufacturing," he gave himself wholly to the strenuous life of an itinerant—making such exertions and braving such perils as only Whitefield himself had undergone—till his friends in 1782 built for him the place of worship in London known as Surrey Chapel.

The Haldanes were fortunate in obtaining the services of a preacher whose personality gave so piquant a flavour to his message. "I go to hear Rowland Hill," said Sheridan, "because his ideas come red-hot from the heart"; and his sermons had probably even more of the homely vigour and raciness which are characteristic of his letters and journals. Writing, for example, to a preacher who, like James Haldane, had been a sea-captain, he falls into nautical language, and thus forcibly excuses his lapse: "You see the sailor has tumbled down upon me unawares." Hill spent more than a month in Scotland, preaching at Edinburgh on Sundays and itinerating during the week from the

Clyde to the Tay. His discourses, which, like Whitefield, he enlivened with personal anecdotes, were described by Campbell as so original "that we seemed as if we had got into a new world"; and the same writer informs us that, being eager to bring all Evangelicals together according to "some plan floating in his head which he never could intelligibly define," he proposed that the Tabernacle should be re-christened Union Chapel. His Journal and *Observations and Remarks*, published as a pamphlet and dedicated, the former to Robert and the latter to James Haldane, were, however, not so well calculated as they were "designed to promote brotherly love and forbearance among Christians of all denominations." The castigation administered in this tract to both Moderates and Seceders could not fail, indeed, to provoke reprisals; and we shall find that on his return to Scotland in 1799 he had little leisure for anything but the controversy which he and the Haldanes had raised.[1]

At the close of the eighteenth century the movement we have reviewed was still but a subordinate factor in the life of the Church; but it was yearly becoming stronger, and it will be well to look more closely at the consequences to be expected from its growth. We have seen that Evangelicalism contributed to the intellectual development of the age in so far as it overrode ecclesiastical distinctions and released men from the tyranny of external forms; but, though not unresponsive in this respect to the influence of the French Revolution, it was far from promoting the emancipation of thought. It is true that Wesley attached little importance to "right opinion," and that some of Whitefield's disciples allowed themselves a certain

[1] Sidney's *Life of Rowland Hill*, *passim*.

latitude of belief. Henry Venn retained some vestiges of respect for human nature till induced by Lady Huntingdon to throw aside "such filthy rags, mere cobwebs of Pharisaical pride."[1] Scott, the commentator, said of Wilberforce that he was "rather afraid of Calvinism";[2] and Simeon avowed his dislike to "systematisers in theology," believing that the truth lay between Calvinism and Arminianism, and that "pious men of either persuasion approximate very nearly when they are on their knees before God in prayer."[3] This, however, was the liberality of sentiment, not of opinion, the attitude of men who were not aware of being illogical when they took as much or as little as they pleased out of coherent systems of belief, and whose use of the Liturgy was not marred, as that of the Puritans had been, by the consciousness that their idea of personal regeneration was repudiated in the ritual of baptism, confirmation and burial.[4] Evangelicalism, which did nothing to develop the theology on which it was based,[5] was, in fact, governed by emotion, not by logic; and the emotion it fostered was not the vague religiosity —anticipated to some extent by Leighton and Scougal— which the disintegration of dogma has produced in our own day, but the outcome of two very definite ideas— natural depravity and supernatural grace. To arouse, to sustain, and to intensify the pietistic feelings associated with conversion was, indeed, the whole object of Evangelicalism, and that which stunted so effectually its intellectual growth; for, though far from discouraging

[1] Ryle's *Christian Leaders*, p. 265.

[2] Abbey and Overton, ii. 218.

[3] *Edinburgh Review*, July, 1911.

[4] See this contradiction exposed in Bogue and Bennett's *History of the Dissenters*, i. 119-124.

[5] Hunt's *Religious Thought in England*, iii. 346.

secular pursuits, it drew a broad distinction between the ordinary business of life, which makes no great demand on the higher possibilities of our nature, and that activity of the mind, scientific or aesthetic, which transcends the mere acquisition of learning or technical skill, and must be prosecuted with enthusiasm as an end in itself. Thus we are told that Simeon's visit to Airthrey in 1796 was the means of converting "a young lady to whom, after listening to her music, he spoke on the importance of consecrating this and every other good gift to the glory of God"; and Simeon, of course, meant, not that she should glorify God by cultivating whole-heartedly one of the noblest of his gifts, but that her art should lose its individuality by being devoted to specifically religious ends. So, too, we find Campbell admonishing Sir Walter Scott, who had been his school-fellow, to turn his "fine talents more to the honour of God and the immortal interests of mankind."[1] It may be objected that ecclesiasticism has never countenanced the idea so finely expressed by Thackeray when he said, "Art is truth, and truth is religion, and its study and practice a daily work of pious duty"; but humanism, however contrary to the standards of the Church, had entered largely at this period into English, and still more into Scottish, religious life; and it is mainly to the decline of this spirit that we must attribute the conflict, which was to fill so large a space in the next century, between religion and science.

Evangelicalism was impelled by its zeal, but was utterly unprepared by its antecedents and training, to take the lead in this holy war; for its leaders in

[1] Scott's influence on religion has been variously estimated. George Eliot found it antagonistic, J. H. Newman pronounced it stimulating.

the eighteenth century lagged far behind the culture of their age. Wesley was a firm believer in witchcraft, drew lots or opened the Bible at random as a means of decision, and rejected as unscriptural the law of gravitation.[1] Joseph Milner, whose *Church History* ranks with Scott's *Commentary* as the chief product of Evangelical scholarship, declared that "moral philosophy and metaphysics have ever been dangerous to religion," and sought to dissuade his brethren from "deep researches into philosophy of any kind."[2] Romaine held that the Greeks and Romans in regard to a knowledge of God were no better than Hottentots,[3] and during a brief professorship of astronomy he sought to damp the ardour of his students by propounding such questions as these: "Were dying sinners ever comforted by the spots on the moon? Was ever miser reclaimed from avarice by Jupiter's belts, or did Saturn's rings ever make a lascivious female chaste?"[4] Newton considered that the whole activity of unconverted man might be summed up under the two heads of "mischief and vanity";[5] and his contribution to the Handel celebration of 1786 was a series of sermons in which he assailed *The Messiah* as a profanation of Scripture.[6] When told of a young convert on board the Hulks who shrank from intercourse with his fellow-convicts, he said: "Horrid as such company were, they were not so dangerous to piety as a set of smooth reasoners in the higher circles of life."[7] Wilberforce lamented that "the existence and agency of the evil spirit, though so distinctly and repeatedly affirmed in Scripture, are almost universally exploded";

[1] Leslie Stephen's *English Thought*, ii. 413.
[2] Abbey and Overton, ii. 211.
[3] *Ibid.* ii. 183.
[4] Lecky's *History of England*, iii. 133.
[5] *Cardiphonia*, 1857, p. 81.
[6] *Dictionary of National Biography.*
[7] Philip's *Campbell*, p. 315.

and, after admitting "that many of the most eminent of the *literati* of modern times have been professed unbelievers," he laid it down "as an axiom that infidelity is in general a disease of the heart more than of the understanding."[1] The Scottish Evangelicals were of course on the same mental level as these more distinguished men, their counsellors and friends; and we read of a pious stone-mason at Airthrey whose conversation was profitable to the yet unconverted proprietor, being "so much divested of those balancing statements of truth by which Mr. Haldane had been perplexed."

It was necessary thus to emphasise and illustrate the intellectual defects of Evangelicalism because these qualities could be but faintly indicated in the narrative of events; but the zeal and disinterestedness of the movement have been sufficiently attested, and we shall have abundant occasion in what follows to admire its generous and philanthropic spirit.

[1] Wilberforce's *Practical View*, 1834, pp. 33, 288, 352.

CHAPTER II

THE DECLINE OF MODERATISM

THE movement we have reviewed in the preceding chapter had done little as yet to discredit the type of religion which was still dominant in the Church—a type easier to recognise when we meet with it than to define. Rowland Hill put a question which all preachers of his school would readily have accepted as a test when he asked: "Are the almighty, the invincible operations of the Holy Spirit upon the souls of men purely and decidedly held forth, without the vile mixtures of human reason, natural conscience, and other wretched substitutes of man's inventing?"[1] And the effort of the Evangelical to lay himself open, or rather to shut himself up, to an influence which he held to be supernatural and divine may serve to distinguish him from those who were less absorbed in this task, perhaps because they had not the same enthusiasm for the dogma of human depravity and helplessness on which it was based. In practice the two types were, of course, interfused, and sometimes with admirable effect, as in Erskine on the one side and Thomas Somerville on the other. Unable to devote himself to the

[1] *Letters occasioned by the late Pastoral Admonition*, 1799, p. 34.

one thing needful, the Moderate had set before him a more complex and difficult, if less exalted, ideal; and, whilst itinerants were attacking the orthodoxy of his preaching, the position he had won for himself in the intellectual and social world was being steadily undermined. The outburst of literary talent, which had accompanied the awakening of industry after 1760 and had reflected such lustre on the Church, had passed away; patronage, which was to have secured the culture and independence of the clergy, had taught them to look for preferment rather to political influence than to character or merit; and, at a time when all classes were acquiring more of the luxuries, the comforts, or the necessaries of life, they had failed to obtain a larger share of the tithes than had been assigned to them, under very different conditions, in 1633. They were still further prejudiced by the reaction due to the excesses of the French Revolution, which impoverished their intellectual life and completed their estrangement from the aspirations of the people.

Principal Robertson, whose supremacy dates from 1762, was the first ecclesiastical statesman to commit himself unreservedly to the support of patronage; and during the eighteen years of his leadership it was chiefly on this ground that he was exposed to attack. In 1784 the system so rigorously enforced in practice was formally recognised; and the weariness of its opponents conspired with the influence at this period of English Evangelicalism to prevent a renewal of the strife. Wesley and Whitefield, Lady Leven and Lady Glenorchy, the Haldanes, Simeon and Rowland Hill were all indifferent to mere ecclesiastical disputes; and Newton, when consulted by Campbell on the subject of presentations, said he supposed they were

"what is called legal or they could not take place," recommended that such "crooked things" should be left "to Him who alone can make them straight," and expressed his desire to add an article to the Litany: "From poison and politics, good Lord, deliver me."[1] To compass the saving of souls by so slow and indirect a process as the abolition of patronage was indeed foreign to the present temper of this school; and the controversy it had long waged with the prevailing type of religion was thus diverted for a time to other issues.

Evangelicalism had hitherto been more interested in the unconverted than in the heathen—perhaps because the fate of the former was less open to question; but its activity was now to take a wider range. The pioneer of this movement was William Carey, a shoemaker, whose abilities and acquirements were far superior to his trade. In 1792 he published a plea for the conversion of the heathen; and, two years later, when Carey was already at work as a Baptist missionary in India, a similar appeal was made by David Bogue, an English dissenting minister, the tutor and the friend of Robert Haldane, who had travelled with him on the Continent, and whom he consented soon afterwards to accompany on the proposed mission to Bengal. From this appeal sprang in 1795 the London Missionary Society, comprising both Churchmen and Dissenters, and directing its efforts to the South Sea Islands, which had recently been discovered by Captain Cook. One of its two secretaries was John Love, a Scottish clergyman, then serving in London, but soon to be settled in Glasgow. An enterprise which united men of all denominations for so novel and laudable a purpose "had a most electrifying effect on the Christians of the north." So

[1] Philip's *Campbell*, p. 89.

at least we are assured by Campbell, who says that "it attracted every eye and became a text at every tea-table, and those who had not heard of it for a week were looked at as persons who had been living in a coal-pit."[1] The first Scottish society for foreign missions originated at Glasgow early in 1796; similar associations were formed at Edinburgh, Stirling, Paisley, Greenock, Kelso, Perth and Dundee; money came in freely; and great public meetings were held.[2]

At the General Assembly of 1796 it was suggested on behalf of two Synods that the Church should "contribute to the diffusion of the Gospel over the world"; but the proposal, though warmly and eloquently supported, met with a chilling response. It was argued by one of its opponents that to introduce Christianity before civilisation was to reverse the order of nature; that nothing but harm could result from the Gospel as an exaltation of faith over works, "when proposed to barbarous nations"; that nobody need be unhappy on account of "the untutored Indian or Otaheitan" who had "his simple virtues" in this world and St. Paul's assurance for the next that "they who are without law shall be judged without law"; and that, even if a people could be found which was both pagan and civilised, the missionaries, at a time of growing license and infidelity, would be better employed at home. Commenting on a circular he had received from the Edinburgh Missionary Society in which it was said,

[1] Philip's *Campbell*, p. 160; Struthers's *Relief Church*, p. 393.

[2] Two missionary societies had existed in England, and one in Scotland, since the beginning of the eighteenth century. The English Society for Promoting Christian Knowledge supported, and eventually almost took over, the Danish-Halle mission in India; but, with this exception, these societies confined themselves to the home country and the colonies.—Warneck's *History of Protestant Missions*, 3rd English edition, p. 284.

"We seek not to export the shibboleth of a party," Principal Hill, who had succeeded to the leadership of Robertson, pointed out that each of the missionaries was to be "remitted for ordination to the particular religious connection to which he belongs," and contended that the effect of this would be to enlist them "in hostile bands." "Much more awful and extensive effects than even these" were, however, to be apprehended from the project, not indeed to the missionaries—who, in the Principal's prophetic vision, were already "cutting each other's throats in the battles of religion on a foreign shore"—but "to society at large." Little more than two years had passed since a convention of seditious clubs had met and been dispersed at Edinburgh; and here was the Edinburgh Missionary Society proposing to correspond with all kindred societies at home and abroad, to amass a common fund, to sweep all denominations into its net, "and even to produce a general movement of the Church upon earth." David Boyle, a young advocate who as a judge, half a century later, was to assist in precipitating the "Disruption," exhorted "all the loyal and well-affected members" to withstand to the utmost "the alarming and dangerous tendency," which was thus disclosed, asserting that all popular movements were essentially political, that the associations formed for the abolition of the slave trade had given rise to the late seditious societies, and that these were being revived "under pretext of spreading abroad Christianity among the heathen." "It now, therefore, becomes us as much as possible to discourage numerous societies for whatever purpose, for, be the object what it may, they are all equally bad."[1]

[1] *Account of the Proceedings and Debate*, 1796. The Relief Church avowed its readiness to co-operate with the missionary societies; but

By a majority of fourteen the Assembly resolved not to exert itself—except in prayer—for the conversion of the heathen. From the fact that no more than forty-four members opposed this decision, it may be inferred that Campbell had rather overrated the enthusiasm displayed at Evangelical tea-tables; and this is the more probable as it was only within very recent years that Protestants had begun to question the opinion which had determined their attitude towards paganism since the Reformation—that the command of Jesus "Go ye into all the world and preach the Gospel to every creature"[1] was meant only for the Apostles and had reference to the approaching miracle of Pentecost. When Carey at a Baptist conference in 1786 had sought to prove that this precept of the Master was still incumbent on his followers, the President silenced him as "a miserable enthusiast," and declared that nothing could be done for the enlightenment of the heathen till there was a new gift of the Holy Ghost and of tongues.[2]

Writers of the early Free Church[3] who denounced the decision of this Assembly as "essentially anti-Christian" were, therefore, judging it by the standard of their own day; and it is impossible to agree with them that the

the Antiburgher Synod discountenanced them on the ground that they were "formed of people widely different in their religious professions"; and it may be added that, fifteen years after the Church of England Missionary Society had been established in 1799, the first Bishop of Calcutta refused to ordain its preachers.—See Struthers, M'Kerrow, and Warneck, p. 287.

[1] The concluding portion of St. Mark's Gospel in which these words occur is rejected by modern criticism. But mt. 28, 18

[2] Warneck, pp. 27, 75.

[3] Such as Hetherington and Buchanan. See also Hugh Miller's *The Two Parties in the Church of Scotland exhibited as Missionary and Anti-Missionary.*

missionary enterprise was consciously misrepresented by those who associated it with revolutionary ideas. A recent historian has pointed out that the enthusiasm for humanity, and for nature as opposed to civilisation, which was diffused by Rousseau and his disciples, had created an atmosphere favourable to the preaching of missions; and there was a personal, if not an organic, connexion between the two movements which could not escape notice. Robert Haldane, whose mission to Bengal the Directors of the East India Company had refused to sanction, was believed to be still an admirer of the French Revolution; and in the spring of 1797 he was contemplating a second appeal to the Directors, and by means of a printed circular was inciting ministers of all denominations, Scottish and English, to petition in its support. Moderates such as Porteous and Hill, who wrote respectively from Glasgow and from St. Andrews to inform the Government of this project,[1] were not the only persons who regarded it with dismay. "My heart goes pit-a-pat," wrote Newton to Campbell, "when I think of the possible consequences of attempting to make such a general stir throughout the nation." Haldane's associate, Dr. Bogue, had also identified himself with the Revolution—at a time, however, when little of its violence had yet appeared; and extracts from a sermon on the subject,[2] which he had printed

[1] February 20 and March 2, 1797.—*Laing MSS.* Porteous was one of Dundas's regular correspondents.

[2] For example: "A more formidable or more successful engine against the religion of Jesus Christ Satan has not employed than the tyranny of civil governments. In reading the history of most of the countries of Europe for a thousand years past, what do we behold? Despots and their vizeers and all their train of executioners setting themselves against the Lord and his anointed; and what they called government as exercised by them seems little else than a conspiracy, not only against the happiness of man, but against religion and the cause of God."—*Laing MSS.*

in 1791, were used by Porteous to deter the Glasgow Missionary Society from supporting the Bengal scheme.

Unfriendly critics can only have been confirmed in their judgment by the first attempts of the Scottish missionary movement to achieve its purpose. The Glasgow Society was the earliest to take the field; and in March, 1797, it despatched two missionaries—Campbell and Henderson, a weaver and a tailor—to Sierra Leone. Governor Macaulay escorted them to a spot, a hundred miles above Freetown, where they each opened a school; but they quarrelled; and, though the Governor effected a temporary reconciliation, they were soon permanently estranged. Henderson, who was not twenty years of age, returned home, studied medicine at the expense of the Society, and, after refunding the cost of his education, set up as a surgeon and professed himself an infidel. Campbell remained in Africa; but, after some feeble attempts to civilise rather than to convert the natives, he was dismissed as worldly, if not immoral, and in his latter days was believed to be concerned in the slave trade. Six months after the departure of this mission, the London, Glasgow, and Edinburgh Societies had co-operated in sending six missionaries—two from each Society—to West Africa. A violent theological controversy was provoked by Brunton, one of the two Edinburgh men, who sought vainly to allay the storm he had raised. It raged with great vehemence before the missionaries left England, and "in the course of the voyage such a scene of wrangling, bitterness and malignity was exhibited by them as passes description." Greig, the other Edinburgh missionary, who had been a gardener, was murdered, after working faithfully for two years, in 1800; and Brunton soon afterwards was invalided

home. The two Glasgow men, who had settled in a group of islands south of Sierra Leone, both succumbed in a few months to fever; and no further attempt was made for many years to christianise Africa from Scotland.[1]

In the foreign mission debate it had been suggested that Christianity ought in the first place to be more widely diffused at home: and a proposal to this effect was already before the Church. It was not only in Edinburgh that the population had outgrown the provision for worship,[2] and several Presbyteries had sanctioned the building and endowment of what were called chapels of ease. The Moderates looked with little favour on this movement, and desired rather to regulate than to encourage it, partly because these chapels, whether due to public or to private liberality, constituted an exception to the rule of patronage, and partly because it was chiefly under Evangelical auspices that the Church had sufficient popularity to enlarge its bounds; and in 1798, after the matter had been under discussion for four years, an Act was passed in accordance with their views, and little to the satisfaction of their opponents, who complained that, whilst permission to erect a chapel might be refused under this Act by the local court, it could not be granted without the Assembly's consent. Chapels had hitherto been allowed in most cases to retain their collections, and it was an additional discouragement that these had now, as a rule, to be given up to the parish. In the next twenty-three years, during which the population increased by half a million, only six chapels were built.[3]

[1] Brown's *History of the Propagation of Christianity among the Heathen*, ii, 415-420, 450-456.

[2] See p. 53.

[3] *The Chapel Question considered in a Letter to Rev. George Cook, D.D.*, 1834, pp. 37, 38.

Meanwhile the religious enthusiasm which provided the funds for chapel-building was expressing itself in forms which Moderatism could more openly oppose. James Haldane and Campbell were directors of the Edinburgh Missionary Society, and it has been mentioned that they instituted many Sunday Schools.[1] The first, or almost the first, of such schools had been opened by Raikes at Gloucester in 1781; and his example was so speedily and so widely followed in England, especially by the Methodists, that in 1787 instruction, not wholly religious, was being given to some 200,000 children.[2] In that year the scheme found favour with some of the Scottish clergy, and we find it adopted in 1790 by so pronounced a Moderate as Alexander Carlyle, who concurred with his session in deploring that "multitudes of children," who had almost forgotten what they had learned in infancy, were "allowed to run about idle the whole Lord's Day."[3] Campbell, who, with the help of the Haldanes, founded a Sunday school society at Edinburgh in 1797, was not content to be a mere imitator of Raikes. Parents as well as children were invited to attend, and the teacher was assisted in his religious duties by a committee of lay preachers.[4] In the West of Scotland sixty such schools sprang up, as we have seen, in a few weeks; and in the description of a Glasgow school submitted to Dundas it is stated that "in place of the former simple exercises a loquacious manufacturer preached and prayed with vehemence till a late hour."[5] By this time, both in England and Scotland, the French Revolution had discredited all agencies of popular

[1] See p. 64.

[2] Lecky, vii. 356.

[3] Stirling's *Inveresk Parish Lore*, p. 179.

[4] Struthers, p. 402.

[5] Meikle's *Scotland and the French Revolution*, p. 209.

education which were not controlled by the Church;[1] and, when we consider the style of preaching adopted by James Haldane and the political opinions so recently avowed by his brother, it may be conceded to the ecclesiastical authorities that they had some cause for alarm.

The zeal, which was finding vent in foreign missions, itinerant preaching and Sunday schools, was based to a large extent on the assumption that untrained and even uneducated men were competent to be religious teachers; and Evangelicalism in this respect had been moving in a direction directly opposite to that of the Church. When the advocates of patronage were taxed with the power which this system put into the hands of careless or irreligious patrons, they usually replied that, if the Church was sufficiently careful in the selection and training of its licentiates, nobody could go far wrong in the choice of a presentee; and they had certainly done their best to make this a legitimate, if not a convincing, retort. As early as 1777 the General Assembly had taken into its "serious consideration the danger that ariseth to this Church and to the souls of the people by licensing any to preach the Gospel who are not duly qualified"; and, after six years' deliberation, an Act was passed in 1782 which prescribed elaborate precautions as to the character and piety of the licentiate, and provided that, in addition to having studied divinity continuously for four years or intermittently for six years, he should be able to produce either a diploma as Master of Arts or a certificate that he had gone through a full philosophical course. An amendment

[1] Even so distinguished a prelate as Bishop Horsley avowed his suspicion that "sedition and atheism" were inculcated in some of the Sunday schools.—Overton and Relton's *English Church*, 1714-1800, p. 304.

was proposed in 1785 with a view to making the literary qualification more stringent; and this suggestion was discussed year after year till in 1813 it was embodied in a new Act.[1]

The clergy must have had little indeed of the pride of learning which such regulations were calculated to foster if they had not retaliated when a sea-captain, who had studied neither philosophy nor divinity, denounced many of them to their flocks for not preaching the Gospel, and when a society financed by the captain's brother declared that thousands who listened weekly to their sermons were "as ignorant of the way of salvation as the natives of Otaheite." Rowland Hill was equally frank and much more caustic in the expression of his views; and Simeon in May, 1799, though he dissociated himself from these direct attacks, was far from blunting their edge when he prayed in one of the Edinburgh churches that the Assembly "might do no evil." [2]

What the Assembly did do could be explained only on the assumption that this prayer had not been heard. Two restrictive measures were passed. One of these, in so far as it closed the livings of the Church to all but its own licentiates, was prompted by the case of one Garie, an English dissenter, who had been presented to the parish of Brechin;[3] but it also forbade the clergy—several of whom had countenanced Simeon and Rowland Hill—to hold ministerial communion with persons not qualified to receive a presentation. The other measure was based on a "Report concerning

[1] *Acts of Assembly.* [2] *Memoirs of the Haldanes*, p. 197.

[3] Cook's *Life of Hill*, p. 172. Garie had been licensed, without regard to the Act of 1782, by "a presbytery far north."—Philip's *Campbell*, p. 220.

Vagrant Teachers and Sunday Schools." It recited various Acts of the Scottish Parliament which had established a clerical censorship of education, enjoined the Presbyteries to examine all teachers, and invited the concurrence of the Lord Advocate and Solicitor-General in vindicating and enforcing the jurisdiction of the Church. The most characteristic document issued by this Assembly was, however, a "Pastoral Admonition" which the clergy were to read from their pulpits. Recalling the Scriptural prediction "that in the last days perilous times were to come when many false teachers should arise, scoffers walking after their own lusts," it announced that the Assembly had "contemplated with devout reverence events in the conduct of the Divine Government which appear to us to be a fulfilment of this prophecy." At a time when "the unhappy nation of the French" was diffusing on all hands "like a pestilential vapour" its revolutionary and anti-Christian ideas, "a set of men" had appeared who were perambulating the country as "universal itinerant teachers," setting up Sunday schools in which ignorant or notoriously disaffected persons "presume not only to catechise but also to expound the Scriptures," and "bringing together assemblies of the people in the fields or in places not intended for public worship, where, pouring forth their loose harangues, they frequently take the liberty of censuring the doctrine or the character of the minister of the parish, studying to alienate the affections of the people from their own pastors and engaging them to join this new sect as if they alone were possessed of some secret and novel method of bringing men to heaven." These persons maintained that every man had a right to preach the Gospel, and there was much reason to fear that "the

name of liberty is abused by them, as it has been by others, into a cover for secret democracy and anarchy."

It is impossible for the student of Scottish history to read this manifesto without being reminded of a time in the previous century when the Church had believed itself to be in similar peril. Then as now the clergy complained that their parishes were invaded by itinerant preachers who at field-meetings exposed them to the derision of their flocks, and then as now, but with far more reason, the men who thus indulged their polemical zeal were denounced as disturbers of the peace and as disloyal to the civil power.[1] But it is significant that, whereas in the reign of Charles II. the question at issue was an ecclesiastical one, it was now wholly religious. The Haldanes and their associates were not merely indifferent to the forms of Church government: their object was to unite in spirit those whom such barriers kept apart. We shall find, however, as we proceed, that the watchwords of the Covenanters, which had fallen into contempt and of which even the Seceders had become ashamed, were eventually to be revived.

The Evangelicals, whose leader, Dr. Erskine, had no great opinion of lay-preaching, did not attempt to shield their irregular levies; and the latter, not prepared for "this criminal silence," hinted that their friends might yet suffer in conscience for having delivered them into the hands of their "most malignant and avowed opposers."[2] Nor did the Establishment in this

[1] Copies of the "Pastoral Admonition" were sent to the county and burgh magistrates; and in Kintire, where a certain Major, with a detachment of Volunteers, essayed the part of Claverhouse, James Haldane and Campbell were arrested and carried before the Sheriff, who promptly dismissed them.—*Memoirs of the Haldanes*, p. 283.

[2] Rowland Hill's *Letters occasioned by the late Pastoral Admonition*, pp. 42, 43.

matter stand alone. The Relief Church appears to have been alarmed by a political indiscretion on the part of one of its preachers[1] who had belonged to the Friends of the People; and, contrary to its liberal tradition, it had already closed its pulpits to all who had not studied at a Scottish University and been regularly licensed.[2] The Antiburgher Synod condemned lay preaching as unscriptural, and forbade its people to countenance Sunday schools in which discourses were delivered tending to encroach on the work of the ministry, or where the attendance was such "as gives to the school the appearance of an assembly met for public worship."[3] The objection in this case was no doubt mainly a religious one; but Evangelicalism was not unaffected by the political alarm. It was an Evangelical divine who said of the British constitution that "in its fundamental principles it, like the government of God, is immutable"; [4] and Dr. Erskine informed the Assembly of 1796 that he did not "like to see the common people becoming disputatious politicians," and that for this reason he had refrained from attending a meeting to petition for the abolition of the slave trade. Alarmists of the more extreme type, who imagined that Sunday schools existed to turn out republicans and anarchists, were thus reassured by Rowland Hill: "Respecting the little army we are about to raise to overthrow the King and constitution, it should be considered that the children in these schools of sedition are, on the average, only from six to twelve years of

[1] Neil Douglas. See p. 149. [2] Struthers, pp. 399, 405.

[3] Rowland Hill's *Plea for Union*, p. iii. Hill calculated that the Antiburghers had enunciated their terms of communion in no less than "3048 distinct propositions."—*Ibid.* p. iv.

[4] *Sermon by William Dalgleish*, 1793, p. 21.

age, consequently they will not be able to take the field at least these ten years; and, half of these being girls, unless we raise an army of Amazons, with a virago Joan at the head of them, we shall be sadly short of soldiers to accomplish the design."[1] Groundless as it was, however, the alarm continued till it became evident that the authors of all this commotion, far from being turbulent or seditious, had sunk to a depth of subservience to which even their traducers had not attained. Robert Haldane, once a disciple of the French Revolution, had convinced himself that Christians, being "mere passengers through this world," ought to submit to any government, however bad; his colleague, Ewing, hailed it as a blessing that payment of taxes was enjoined in Scripture, as otherwise "conscientious men might have thought it necessary to know first how the money was to be applied";[2] and Campbell, whether or not he acquiesced in this doctrine of passive obedience, had at least abjured politics at his conversion.

The most important enactment of the Assembly of 1799 was that which claimed for the Church a censorship of education; and it appears from a letter of the same month that the clerical leaders, not content with their own revival of obsolete statutes, were invoking "the authority of Parliament to annihilate the further progress of unlicensed missionaries and free schools."[3] This was a wide divergence from the intellectual tolerance of Moderatism; and the zeal of its authors for sound

[1] *Letters occasioned by the late Pastoral Admonition*, p. 24.

[2] Haldane's *Address to the Public concerning Political Opinions*, etc., p. 111, and appendix p. 32.

[3] Letter of Athol, probably to Portland, May 20, 1799.—*Laing MSS.* See also Sheriff Boswell to Robert Dundas, Oct. 2, 1798.

learning was rendered dubious by a project on which they were already engaged.

Almost all the abuses which contributed to the fall of Catholicism in 1560 may be traced to the two great evils of plurality and non-residence; and it was no doubt for this reason that, even during the infancy of the Reformed Church, when stipends were miserably inadequate and hundreds of parishes were unprovided with pastors, no rules were more rigorously enforced than those which required the clergy to reside at their cures, and not to hold more livings than one. Both principles were at last fully established; and the former seems not to have been violated till 1779 when the professorship of Natural History at Edinburgh was conferred on John Walker, minister of Moffat. The Presbytery of Dumfries sought to compel his resignation, and the dispute terminated in 1783 with his translation to Colinton, within three miles of Edinburgh.[1] Four years later, Finlayson, the Edinburgh Professor of Logic, was ordained minister of Borthwick in the Presbytery of Dalkeith, but vacated this living in 1790 to become pastor of a city church. Such a union of chair and pulpit, though seldom permitted in early times, had now become usual in the theological faculties, and did not of course infringe the law of residence; but a great outcry was raised in 1796 when it became known that Dr. Arnot, Professor of Divinity at St. Andrews, had obtained from Lord Crawford the living of Kingsbarns, some six miles distant. The learned doctor, whose tastes were avowedly bucolic rather than

[1] *Fasti*, ii. 657. Walker was by no means welcome to the parishioners of Colinton, and one of them is said to have expressed a fear that, being a Professor, he would "just mak' a bye job of our souls."—Jean L. Watson's *Life of Dr. Andrew Thomson*, p. 73. The story has probably a basis of fact, though, as told by Dr. Thomson, it is manifestly incorrect.

academic, had taken a farm in the parish, and had even begun to work it, when he "took fright" and returned the presentation, greatly to the relief of Principal Hill who, though anxious to oblige a friend and colleague whom he regarded as an ideal Moderate, admitted that both the clergy and the public "were most hostile to the measure and, from particular circumstances that have come out, thought very unfavourably of Arnot."[1] The living was, however, again offered to him when another vacancy occurred only three years later, and on this occasion the farmer proved too strong for the divine. Arnot intimated his acceptance; but two members of the Presbytery objected to the settlement of a minister who was also a professor; and their complaint was carried from the Synod to the General Assembly of 1800.[2]

Hill's courage was now quite equal to the defence of his country-loving colleague. His argument appears to have been that a professorship of divinity was an academic, not an ecclesiastical, office; and he even went so far in this connexion as to point out that one of Arnot's predecessors at the beginning of the century had been a layman. He thus laid himself open to the retort of another Principal—Brown of Aberdeen—who asked how a Church which had just asserted its right to supervise popular education could disclaim the oversight of one who was teaching theology to its own students. Brown was, however, more than a match for his opponent on purely academic ground. He pointed out that the constitution of St. Mary's College required its professors to be in constant residence;

[1] Letters of Principal Hill to Carlyle, Nov. 24, 1795, and April 12, 1796, MSS.

[2] *Fasti*, iv. 444. In the printed accounts, so far as I have seen, Arnot is not mentioned in connexion with the previous vacancy.

and he argued with pardonable exaggeration that, if such a breach of its rules was sanctioned, the Universities would be deserted, a country manse would degenerate into a country seat, and the professors would be " all rusticated, not as a punishment, according to the English academical acceptation of the word, but for their emolument and pleasure." " While we properly oppose vagrant teachers," he continued, " let us be equally zealous to prevent our regular instructors from straying from their duties." The Assembly was not convinced by these arguments, and the decision of the Presbytery and the Synod in Arnot's favour was confirmed.[1]

The question involved in this case was raised again next year in the shape of overtures from several Synods, desiring it to be enacted that a professorship could not be combined with any but a local parish. " This, we are told, " being a cause of much expectation, a great number of members were present, and the galleries were crowded with ladies and gentlemen between eight and nine in the morning " ; and it appears from the same account that in the evening the male auditors, having become unduly demonstrative, were all turned out. Hill and his friends were not, however, intimidated by this display of public opinion ; and the overtures were rejected on the ground " that the existing laws of Church and State "—which had been treated with scant respect in the Kingsbarns case—" make sufficient provision for the residence of ministers and their faithful discharge of the duties of the pastoral office." [2]

[1] *Substance of Speech by William Laurence Brown*, pp. 31, 38, 39, 48.

[2] *Scots Magazine*, 1801, p. 445. The interest taken in this case is the more remarkable when we remember that in England about a third of the clergy were non-resident.

One cannot but marvel at the shifting and incongruous grounds on which the policy of Moderatism at this period was based. Eager to suppress the new Sunday schools, the clergy had revived their claim to control education. When one of them proposed to violate the rules of his college by becoming a country minister as well as a professor, it had been asserted that in the latter capacity he was independent of the Church; and in a famous case at Edinburgh, which now demands our attention, it was to be maintained that the University as a whole was subject to clerical supervision.[1] The men who thus refuted their own arguments were believed, however, to be consistent enough in purpose; and it was suspected that the "comfortable addition to his income," which Arnot's friends had sought to gain for him, was the object which they all had in view.

Early in 1805 Professor Playfair was appointed by the Town Council of Edinburgh to succeed Robison as Professor of Natural Philosophy, and his own chair—that of Mathematics—thereby became vacant. The candidate first in the field was Thomas Macknight, an Edinburgh minister, who had been Robison's assistant; and, when it appeared that his brethren had made it a condition of their support that he should not resign his charge, Dugald Stewart addressed a letter to the Lord Provost, Sir William Fettes, in which he argued against "the expediency of uniting Professorships with ecclesiastical livings," and, whilst making "no invidious references to what is already past," declared his conviction that, if this practice were "persisted in for a few years longer," it must inevitably bring the University to ruin. The letter was followed by another to the

[1] See Brown's *Remarks on the Examination of Dugald Stewart's Pamphlet*, 1806, p. 11.

same effect from Professor Playfair; and, in justice to the practice which was so unsparingly condemned, one must admit that it had not yet been carried far, and that its evil consequences were rather to be apprehended than felt. It had indeed been adopted for the last forty years in regard to the theological professorships; but that this should continue "has been always," wrote Stewart, "my opinion and my wish." Walker was admitted on all hands to have both merited and adorned the Chair of Natural History, and his successor —the present occupant—was a layman. Finlayson had no lay competitor and was not a parish minister when the Town Council made him Professor of Logic, and his "diligence and ability" in that office were admitted by Playfair. In 1801, indeed, Thomas Brown, a pupil of Stewart and his future successor, had been defeated in his candidature for the Chair of Rhetoric by an Edinburgh minister of the same surname; but Thomas Brown, who was to achieve a brilliant but ephemeral reputation, was then only twenty-three years of age; and Playfair conceded "that there are fewer objections to the union of the ministerial office with the Rhetoric Class than with any other in the College." As confessedly he was not thinking of Finlayson, it was probably to this case—though it was a Crown appointment—that Stewart alluded when he told the Lord Provost that he would not reflect on "what is already past"; but he may also have had in view the choice in 1793 of George Husband Baird, a young and obscure minister, to succeed Robertson as Principal—a choice which he describes elsewhere as "the subject of almost universal regret and astonishment." Baird, however, owed his elevation to municipal, not to clerical, influence. He had married

the daughter of Lord Provost Elder; and it has been pleasantly said of him that his second name represents his chief title to the office.[1]

However patent, therefore, it may have been that no ordinary man could do justice to himself in the twofold office of professor and pastor, the Edinburgh ministers had some reason to be indignant when their connexion with the University was described as one which must soon be fatal to its welfare; but, if they had sought to prove that, unlike their predecessors who had established this connexion, they were out of touch with the best thought of their time, they could not have chosen a better method than that which their vexation prompted them to adopt. It is affirmed by their apologist "that not more than one or at the utmost two" of their number had canvassed for Macknight; and their conduct, if disinterested, was intellectually the more inexcusable when they now sought to exclude from the Chair of Mathematics so eminent a man as John Leslie, because in a note to his great work on the *Nature and Propagation of Heat* he had referred to David Hume as "the first, as far as I know, who has treated of causation in a truly philosophical manner."

Their first step—which had no direct reference to Leslie and was taken at a time when, as the public was afterwards assured, they considered his pretensions

[1] Within a year after his marriage to Isabella Elder, Baird was made a doctor of divinity, pastor of New Greyfriars, Professor of Hebrew, and Principal. He was a kindly and genial man, but a lachrymose preacher, and he wept so copiously whilst describing the King's mental condition that it was said his sermon might have been superscribed, "From George Husband Baird to George III.—Greeting." See Stewart's *Short Statement* pp. 8, 9, 13 and *Postcript*, p. 8; *An Examination of the Statement* [by Dr. Inglis], p. 42; Playfair's *Letter to the Author of the Examination*, pp. 41, 43; Inglis's *Reply*, p. 16; and Grant's *Story of the University of Edinburgh*, i. 320, ii. 270, 432.

"altogether hopeless"[1]—was to remind the Senatus Academicus of certain statutes, obsolete for half a century, which required their subscription to the Confession of Faith. The reply of the Senatus was couched in terms no less polite than caustic. They had not forgotten, and were quite ready to comply with, the obligation to which their attention had been called; but they had noticed with "deep concern" that the allusion to laws which Principal Robertson had allowed to become dormant might be interpreted as a reflection on his memory; and they flattered themselves that it would not be thought presumptuous if they were to remind "such of the younger members of the Presbytery as were formerly their own pupils" that ministers could best promote the influence of religion by exemplifying it in their character and temper "and that an extraordinary profession of zeal for its external forms is never so likely to afford matter of triumph to its enemies as when a suspicion is allowed to arise in the public mind that it has been employed in subserviency to the interested views of individuals or to the purposes of an ecclesiastical party.[2]

The Presbytery of Edinburgh had no doubt profited by the researches which had been made, some six years earlier, into the educational jurisdiction of the Church. It had discovered that it was "the legal superintendent" of the University;[3] and the ten ministers[4]

[1] *Examination*, p. 27.

[2] It was a curious commentary on the union of offices which Stewart and Playfair condemned, that Principal Baird and Professors Finlayson and Henry Hill concurred in this reply of the Senatus to the letter which as members of Presbytery they had approved.

[3] *Examination*, pp. 15, 29.

[4] Including Macknight, the unsuccessful candidate, they had a majority of only two over their opponents.

who were disposed to act in that character had not yet exhausted their power. Leslie had endeavoured to remove their suspicions; but, as his letter professed innocence, not penitence, they considered it an aggravation of the offence; and, when it was found that his pretensions, far from being "altogether hopeless," were on the point of being realised, their representatives appeared before the Town Council, and, after pointing out that in terms of the University charter, the academic patronage of the magistrates was to be exercised with the advice of their ministers (*cum avisamento tamen eorum ministrorum*), they protested, first against the disuse of this venerable safeguard,[1] and secondly, "in the most solemn manner," against the candidature of Leslie as one who "has avouched to the world and has endeavoured to support by argument an opinion calculated to undermine the foundation of all religion, both natural and revealed." The Council had met for the purpose of the election, and "in less than quarter of an hour"[2] after the delivery of this remonstrance they had practically appointed Leslie Professor of Mathematics. This was on March 12, 1805; but the election was found to be defective in point of form; and on the 27th, two days before it was completed, the ministers sought to have their advisory power—what Playfair called their "awful avisamentum"—recognised by the Courts; and here they were told in effect that a right to advise and a right to have one's advice accepted were legally two different things.[3]

[1] It had never been used in the case of a mathematical professor, and Dr. Hunter, Professor of Divinity, told the Assembly that he himself was "the last in whose appointment this right was exercised, in the year 1779." —See *Debate*, cited below, p. 23.

[2] Playfair, p. 54.

[3] Stewart's *Statement*, pp. 41, 46.

All that the ministers could now hope for was that their claim to act as superintendents of the University, which had been slighted, if not rejected, by the Senatus, the Town Council, and the Court of Session, would be supported by the Church; and with this view they had the matter referred from the Presbytery to the Synod, and from the Synod to the General Assembly. Sir Henry Moncreiff and others dissented on technical grounds and protested "for leave to complain"; and, as the Synod had consequently to appear with the complainers at the bar of the Assembly, its members, who might otherwise have turned the scale against Leslie, were debarred from voting. We have seen that the public had been far from indifferent to the Arnot case; but this affair, in which the real issue was "a claim of clerical domination over seats of learning,"[1] excited far more interest; and its consideration was first delayed, and then interrupted for an hour, by "the crowd of strangers" pressing from the galleries into the area of the House. The debate, which lasted from noon till midnight on two successive days, was the most metaphysical, and one of the most animated, in which the Assembly had ever engaged; and in this final struggle the baffled superintendents shed the last remains of their credit. It was shown by Dr. Hunter, Professor of Divinity at Edinburgh and one of their own party, that the opinion which they condemned in Leslie—that there was no "such necessary connexion between cause and effect as implies an operating principle in the cause"—had been held by the most eminent philosophical divines, such as Barrow

[1] Cockburn's *Memorials*, edition 1874, p. 172. "If I had fifty sons," said Henry Erskine in his speech, "I would send none of them to the university while it is placed in a situation so degrading."

and Clarke. Less friendly critics pointed out that the converse of this proposition, which Sir Henry Moncreiff characterised as "a doctrine of which I can scarcely mention the pernicious tendency"—that the cause has an inherent power or efficacy—was the starting point of materialism, and as such had been adopted by Spinoza and by "those very French atheists" whom the alarmists so vehemently abhorred. Another speaker declared that he found two things in the conduct of the ministers connected as cause and effect—an unsuccessful attempt to procure the vacant chair for one of themselves and an objection to a lay candidate, and said that in this cause at least he detected only too much "appearance of an operating principle." The vote was taken on the 23rd of May, 1805; and, when the figures were announced—ninety-six in favour of Leslie and eighty-four against him—they were greeted from the galleries by "a shout of applause."[1]

Obvious as it is, the significance of this memorable case may well be emphasised. From 1717, when Professor Simson of Glasgow was accused of denying the depravity of human nature, to the days when Robertson had with difficulty restrained the more extreme of his followers from dispensing with the Confession of Faith, Moderatism had always been associated with liberality or reticence of doctrine; and its sufficient, if not its only, justification is that it kept the Church in unison with the intellectual movement which culminated, with such brilliant results, in the latter half of the eighteenth century. It was natural that

[1] *Report of the Proceedings and Debate*, a pamphlet of 181 closely-printed pages. Cockburn thought it "as bad as possible," but it is warmly praised by the controversial writers. Thirty or forty Moderates voted in the majority.—Playfair, pp. 85, 113. On the whole subject, see Horner's article in the *Edinburgh Review* for October, 1805.

the party should lose something of its liberalism in the reaction caused by the French Revolution; but that its leaders should turn their backs on the tradition which their predecessors had established and adorned, insinuating that men of letters, as such, were naturally hostile to religion;[1] that they should attempt to bring Universities as well as Sunday schools under the yoke of an obsolete censorship;[2] that, "seeking out for a latent spark of heresy in the midst of a book of experiments and calculations which had physical discovery for its sole object,"[3] they should pursue as an atheist a man of the highest attainments and character in whom the strictest Evangelical could find no guile; and that in the whole miserable business—inspired, as the public believed, by mere ignorance and spite—they should display a "sudden transition from the icy regions of moderation to the elevated and burning climes of enthusiasm"[4] was truly, in the words applied by a pamphleteer to the last of these wonders, "a sort of anomaly in human nature"; and Scottish ecclesiastical history can hardly afford a better illustration of the familiar, though not classical, adage—*Quos Deus vult perdere prius dementat.*

The decline of Moderatism must be ascribed to more general causes than a want of capacity in its leader; but Hill, though he had formed himself on the model

[1] *Examination*, pp. 50, 58.

[2] One of their supporters went so far as to assert, or rather to assume, an ecclesiastical censorship of the press.—Macfarlan's *Short Vindication of the Minority*, pp. 10, 17, 40.

[3] Playfair, p. 75.

[4] *A Third Letter to the Rev. Principal Hill*, p. 127. "Was this blaze," asked Principal Brown, "kindled by a flash from heaven or by subterranean fire?" *Debate*, p. 93.

of Principal Robertson, and may even have excelled him as an orator, was a much weaker man. Robertson never had a patron; the policy he directed from 1762 was one which had been growing in favour ever since he himself as a country minister had advocated it ten years earlier; and, rather than give way to the younger and more violent of his followers, he retired from the Assembly at a time when his strength and his reputation were alike unimpaired. It cannot be claimed for Hill that he showed much of this independent spirit. He has been almost as unfortunate as Robertson in his biographer, who, in Dr. Johnson's phrase, is "a dead hand at a life"; [1] but the impression one derives from a loose and laboured, if not unqualified, panegyric is that, though a man of great cleverness and energy, he was indebted mainly for his success to certain circumstances and qualities which procured him the favour of influential friends. His precocity as a student at St. Andrews brought him under the notice of Lord Kinnoull, then Chancellor of the University, and ever afterwards his zealous patron; through his uncle, M'Cormick, a descendant of Carstares, and editor of the *Carstares State Papers*, he was introduced to Robertson, who proved equally helpful, and to Dundas; and, after seeing something of the world as tutor in the family of a Scottish politician in London, he returned at the age of twenty-one to his old University as Professor of Greek. From this point Kinnoull and Robertson seem to have competed for his advancement; but he would certainly have exercised more influence over the clergy, when in 1780

[1] Hill, who contributed a paper on ecclesiastical affairs to Stewart's account of Robertson, was not satisfied with the work "as a life. It does not present to you the man, his friends, his habits and his character." —Rogers's *Social Life*, iii. 143.

he became their leader, if Kinnoull in the previous year had not frustrated a scheme for transferring him from St. Andrews to Edinburgh.[1]

Hill had the temperament to be expected from such facts. Writing to his mother, when a tutor and barely eighteen, he says: "The true secret certainly for passing through life with comfort, and especially to a person in my situation, is to study the temper of those about him and to accommodate himself to them." The social gifts on which he then prided himself are said to have been too seldom exercised when the objects of his youthful ambition had been attained; and, though in the same letter he professes his inability to flatter, this was a defect which in later years he seems to have quite overcome. His biographer admits that in his management of the Assembly debates he was unduly deferential to men in high office, "commending speeches from them which, had they proceeded from other members, would have attracted little of his notice"; and on October 29, 1797, we find him writing in this strain to Carlyle, who had just declined a proposal that he should become Principal of St. Andrews University: "I am not sure, with your habits of keeping the best company, you would have relished our society, which is too limited and too far from great scenes to be very good; yet you would have found many comforts, and your manners, dignified and graceful, with your intelligence, so far superior to ours, would have enlightened and embellished our society." In a subsequent epistle, October 19, 1801, he expresses his regret that a letter of Carlyle's had not arrived in time to be forwarded to him when a guest at Dunira: "I should certainly have read to Mr. Dundas your very elegant

[1] Cook's *Life of Hill, passim.*

comparison. It was admirably wrought up and would have been highly flattering to him." [1]

The political and religious reaction found its natural leader in a man of this conventional and impressionable type; and Hill was made a dean of the Chapel-Royal as a reward for his services in asserting the clerical superintendence of schools.[2] He was not indeed responsible for that worst of all blunders—the prosecution of Professor Leslie; for he assured the Assembly that he had not been consulted in the earlier stages of that business, and had done his utmost to prevent it being brought before the House; but he maintained that the ecclesiastical censorship recognised no distinction between schoolmasters and professors, and that Leslie's unguarded statement, though he knew him to be "a sound theist" was sufficient to warrant the interposition of the Church.[3]

If these opinions are to be ascribed to the temper rather of the times than of the man, this cannot be said of Hill's attitude to the Catholics. Robertson in 1779 had incurred the most vehement unpopularity by his support of the Bill to rescind some of the penal laws; but the French Revolution, which showed that Catholics and Jacobins were natural enemies, produced so great a change of feeling that no opposition was made to the repeal of these statutes in 1793. In 1807, when the Grenville Ministry had resigned in consequence of George III.'s refusal to open the army and navy to Catholics and Dissenters, it was proposed that the

[1] *Letters to Carlyle, MSS.* Dundas, it seems, was a regular churchgoer, and Hill had the satisfaction of finding the statesman's sister "seated in the church" when he went to Kingsbarns to assist Arnot at a communion service. "She attended the whole time and took her sacrament like a Dundas."—*Ibid.*

[2] Cook's *Hill*, pp. 138, 296.

[3] *Report of Debate*, pp. 74-77.

General Assembly, in the usual address to the King, should express its satisfaction at having "seen the fences of the establishment upheld by the firm and dignified exercise of the constitutional prerogative of the Crown"; and Sir Henry Moncreiff and Principal Brown proposed to add to this an expression of regret that Presbyterians, who had not conformed to Episcopacy, were still excluded from civil and military office. The amendment was rejected on the motion of Hill, who regarded it as associating the Church with the Catholic claims; and in a no-popery speech, which he thought worthy of publication, he complimented the King on "that resolution which has now proved firm as the munition of rocks," and asked, "Is it possible we can so far forget our principles and our former conduct as to stretch forth our hands to uphold the tottering throne of Antichrist?"[1]

The temper so little in keeping with the antecedents of his party, which Hill disclosed in this speech, was, however, exhibited in less questionable forms. His reputation as a profound and orthodox theologian stood high—higher, probably, in the eyes of his opponents than of his friends; he was "in principle a Sabbatarian, very much confirmed by my abhorrence of the French"; and on three occasions he showed that even the fires of the Covenant still smouldered in his breast. There exists in his handwriting a memorial drawn up at the time of the Prince of Wales's marriage in which he

[1] Hill's *Substance of Speech*; Brown's *Letter to George Hill*, 1807; and Cook's *Hill*, p. 302. Some rather singular utterances were made in the course of this debate. One member taxed the late Ministers with having "set their own wisdom in opposition to that of their sovereign"; another accused the Assembly of a similar presumption in regard to these Ministers; and a third objected to the address as seeming "to imply that it would be possible for any thing to raise the character of His Majesty higher than what it had hitherto been."—*Scots Magazine* lxix. 327-328.

indicated several methods by which the Government might procure an alteration in the public prayers for the Royal Family without appearing to dictate to the Church.[1] About the same time, when it was suggested that the Scottish clergy should commend from their pulpits a voluntary subscription towards the expenses of the war, he warmly and publicly opposed the scheme, and declared, in answer to an intimation of official surprise and displeasure, "that, should it be necessary, he would strip his gown from his back rather than do what he was convinced would disgrace it." And, a few years later, he proved equally resolute when the office of Principal Clerk to the Assembly had become vacant, and the Whig officials, who had supplanted Dundas, desired that the Moderate candidate should be withdrawn in favour of his Evangelical rival.[2] That the leadership of Moderatism should have passed from a man of letters to a theologian, and that the latter should have been so careful of a claim to spiritual independence which even the Evangelicals had largely forgotten—from such facts we must infer that the intellectual movement which had carried this party into power had spent its force. It has been well said that in the latter half of the eighteenth century, when the literary revival was at its height, "Evangelicalism in its best moods was simply an alternative version of Moderatism";[3] and we are now approaching the period when these positions were to be reversed.

The Leslie controversy was not the only instance in which the Edinburgh clergy took advantage of their position to act independently of Hill; and, two years later, we find them rebuking this "individual in

[1] *Laing MSS.* [2] Cook's *Hill*, pp. 134, 136.

[3] Rev. A. J. Campbell in *Quarterly Review*, October, 1911.

a retired situation," who had written to Lord Melville in opposition to one of their schemes.[1] Hill's influence, however, was not only hampered by his residence at St. Andrews, but is said to have "depended on a single power—that of public speaking";[2] and the real business-manager of Moderatism was Finlayson, a silent but indefatigable man, whose acquaintance we have made in his twofold capacity of professor and pastor. The triumphs won by Hill on the floor of the Assembly were usually prefaced by much subterranean activity on the part of this astute engineer; and a letter[3] to the Lord Advocate of July 12, 1797, enables us, as it were, to surprise him at his work. The overture in regard to chapels of ease[4] had, it seems, met with a mixed reception in two Presbyteries—those of Ayr and Irvine—which were "of great importance in the west," and Lord Eglinton, whose influence was dominant in Ayrshire, should therefore be induced to exert himself privately in its support; but, as a printed memorial, "intended chiefly for the clergy," was not calculated to impress this eminent layman, Finlayson pointed out that, if no check were put on the popular demand for places of worship, not only would patronage be endangered, but the clergy would have the same facilities for engrossing wealth and power as they had enjoyed before the Reformation. "Religion is a natural principle in the human heart, and the success which the Missionary Vision meets with at this moment proves that there

[1] Cook's *Hill*, p. 199.

[2] Cockburn, p. 198, who says that Hill was a finished orator, but had little facility in debate. "His voice was clear and agreeable, his gesture simple, and, though didactic, natural and elegant; his visage dark; his eyes shaded by heavy black eye-brows; his whole manner and expression rather jesuitical."

[3] *Laing MSS.*

[4] See p. 82.

is still in this country a string connected with religion which, when properly touched, has power to enchant the people and unlock their coffers."[1] Whatever Eglinton may have thought of this argument, if it was put before him by Robert Dundas, he was not likely to suspect that it had emanated from a clerical source.

We have seen that patronage as early as 1780 had disappointed one of its keenest supporters by placing benefices at the disposal of politicians;[2] and the alarm excited by the French Revolution, however natural it may have seemed to Carlyle, could not but aggravate the evil he deplored. It appears indeed to have been the custom for heritors, anxious to obtain a Crown presentation for the man of their choice, to apply for it through the member for their county;[3] and requests for preferment had frequently the same political taint even when conveyed through a private channel. "I can warrant his good principles towards the present Government, and he will be a useful minister of the Gospel," wrote a gentleman to the Lord Advocate in recommending his children's tutor for a parish. It was usually in this order that the qualifications of a licentiate were stated; and a type of cleric was thus evolved, of which it may be hoped that there were

[1] If this "string" existed in the aristocratic heart, Finlayson and his friends had not succeeded in touching it. In 1751 and again in 1792 the landowners had combined to withhold from the clergy an increase in their share of the teinds; and the Government in 1810 came to the help of the Church with a grant of £10,000, intended to raise the minimum of stipend to £150 a year. Another grant of £2000 was made in 1824.

[2] See p. 25.

[3] Thus Mr. Scott, member for Forfarshire, writes to the Lord Advocate, June 23, 1795: "Although these kirks were in my county, Sir David [Carnegie] thought it proper to apply immediately to Mr. Dundas, and not to come to me for them."—*Laing MSS.*

many less perfect specimens than Robert Ure, the minister of Airth. Somebody had "grossly misrepresented" the conduct of this impeccable divine in regard to a settlement in the adjoining parish of Larbert; and, writing to an influential friend who was to make his peace with the Lord Advocate, he expatiates, first on the extreme unpopularity of the presentee, and then on the strenuous but unavailing exertions he had made, as senior member of the Presbytery, to have him settled without an inquiry into his character. The friend is adjured so to represent matters to Dundas "that no idea may remain with him of any improper conduct on my part, as also to remind his lordship to do something for my eldest son, who is Comptroller of the Customs at Alloa upon a very small income"; and the writer concludes with this review of his own pastoral labours: "I flatter myself with the approbation of all the gentlemen who know me, and in every case where matters of Government have been spoke of in the parish, large and populous as it is, there never appeared any seditious or improper tendency but I checked it."[1]

Moderatism had at all times leant heavily on its connexion with the State. Robertson's predecessors in the leadership of the Assembly had been little more than the henchmen of political chiefs; but he himself, whilst disdaining to connect himself with individual statesmen, had brought the Church as a whole into closer relations with the civil power by accepting unreservedly the law of patronage; and he insisted that the Crown should support him in the Assembly,

[1] Ure to Robert Colt, August 19 and 26, 1793.—*Laing MSS.* Colt in forwarding the first of these epistles to Robert Dundas, writes: "The letter is simple and candid, and I must really beg you not to allow that devourer of raw flesh to eat my man alive. The averments of the two are directly opposite, but I lay great stress on my man not being a traveller."

as it supported its Ministers in Parliament, by deferring to him in the bestowal of offices and pensions. Government, however, could not afford to alienate one of the two ecclesiastical parties; and in 1766, when Robertson had failed to procure the chaplaincy of Stirling Castle for one of his friends and was threatened with a similar disappointment in regard to two sinecures connected with the Chapel-Royal, he is said to have declared, with his usual independence, that "unless the Ministry choose to bestow those marks of their countenance upon such clergymen as are friends to government and law, he, for his part, will entirely withdraw from all sort of Church business and management."[1] The patronage controversy burnt itself out in 1784; but, eight years later, the French Revolution had kindled a much fiercer flame; and Moderatism claimed that official recognition should be confined to those samples of "political soundness" which it was prepared "to present to the Government and to the Nation."[2] Dundas, who had more than doubled the number of royal chaplaincies, was not disposed, however, to reserve these and other favours for Moderates, having found that their opponents were just as good subjects and more influential as pastors and preachers; and hence we find Robertson's complaint re-echoed in the less masculine tones of Hill: "If the scheme of equalising Court favour goes on, the Moderate interest will soon vanish from the face of the earth, and Government may have more troubles than they are aware"; and, after thanking Carlyle for endeavouring to procure for him some new preferment, he continues: "Feeling no pinch at present,

[1] Hugh Blair to Oswald of Dunnikier, printed in *Memorials of Oswald*, pp. 119-121.

[2] Hill to Carlyle, December 3, 1793.—*MS.*

I can say truly that my heart is more disposed to tremble for the Ark of God than to be anxious about myself."[1]

Statesmen being thus remiss in their protection of the "Ark," which they probably regarded as more useful than sacred, there was the more reason that its defenders should bring as large a force as possible into the field. The number of clergymen available for such service depended, of course, on the operation of patronage, and this, as we shall see, was becoming less favourable to the dominant party; but lay elders sat with ministers in the Church Courts; and, as the Royal Burghs sent representatives both to Parliament and to the Assembly, it will be seen how close was the connexion between civil and ecclesiastical politics. Presbyteries, in which the two parties were at all equally balanced, had usually a keen contest for the choice of their elders. At the opening of every Assembly the commissions granted to members, clerical and lay, from their constituents were closely scrutinised; the slightest informality was pounced upon as a ground for rejection; and the burgh elders, in whose election the Town Councils seem to have been incurably careless, suffered most, though not exclusively, from this trial. Many of the laymen elected to the Assembly were elders only in name. A measure to prevent persons being ordained to the eldership of a parish with which they had no connexion was transmitted to Presbyteries by the Assembly of 1778; but, after being re-transmitted annually for thirteen years, it was dropped in 1791; and it was not till 1816 that an Act was passed, providing that elders must be at least twenty-one years of age

[1] Hill to Carlyle, August 20, 1793.—*MS.* In 1803 we find Lord Advocate Hope protesting against a proposal to make Principal Brown Dean of the Thistle. *Scottish MSS.* P.R.O.

and communicants, and that no one should be eligible for the office who, if not a heritor or the heir of a heritor, did not reside in the parish for at least six weeks in the year.[1]

The Assembly had judicial as well as legislative functions; and the party spirit which manipulated for its own purposes the ordination of elders is said to have co-operated with certain methods of procedure introduced by Robertson to hamper its efficiency as a court of morals. Realising that so popular a body was liable to be swayed by passion and prejudice, Robertson had laid great stress on the rules to be observed in the prosecution of ministers; and as early as 1766 some of his own followers complained that he made it difficult, if not impossible, for the Church to rid itself of unworthy members "by insisting on the necessity of what is called legal evidence."[2] Some twenty years later, when Hill had assumed the leadership, Principal George Campbell, the philosophical opponent of Hume and himself a Moderate, wrote a letter to Carlyle in which we find this remarkable passage: "I commend your zeal for the Church but am strongly inclined to suspect that it is impossible to preserve her longer respectable. . . . A popular Assembly does very well for a legislature, but not for a judicatory, especially a criminal judicatory; and, though it might do tolerably while there subsisted any regard to decency and virtue in the generality of its members and a zeal for preserving purity of character in the order, what can we expect now

[1] Hill suggested to Carlyle, October 19, 1801, that his nephew might be elected to the Assembly for one of the towns within the Presbytery of St. Andrews. "He would need either to purchase an old house in the borough or to officiate as an elder once or twice within the bounds of the Presbytery."

[2] See *The Awakening of Scotland*, p. 222.

when party spirit has almost swallowed up all other distinctions?"[1] The writer goes on to say that the attitude of the Church towards moral offenders, which had once been distinguished by "excessive rigour," seemed "likely to end in plenary indulgence"; and in the early years of the nineteenth century, if we are to judge from the frequency with which the action of Presbyteries in such matters was set aside as irregular by the Assembly, the Church had advanced still further towards this goal.

It remains to add, or at least to suggest, that the operation of patronage was becoming less favourable to Moderatism. Dismayed at the outbreak of revolutionary agitation, and associating Evangelicalism with resistance to law, the Government had not always distinguished between the political and the ecclesiastical aspirations of the people; and Cockburn tells us of a town congregation which ventured to request that its second minister should be promoted to a vacancy in its first charge, and was answered by "a member of the Cabinet" that the mere fact of the people having moved in the matter "was conclusive against what they desired." One is disposed, however, to be somewhat sceptical in regard to this case, particularly as it occurred "several years after 1800," when, as Cockburn himself admits, Jacobinism had lost much of its terror.[2] In many country parishes it had become

[1] Rogers's *Social Life*, appendix.

[2] *Memorials*, p. 78. The original basis of the story is perhaps to be found in a letter of Robert Dundas to the Magistrates of the Canongate, July, 1808. The Magistrates had recommended that Dr. Buchanan should be promoted to the first charge, and Dundas replied that, as the parish had already the benefit of Dr. Buchanan's ministrations, a compliance with the request "would be only an indirect mode of depriving the Crown of its right of presentation for the purpose of transferring it to the parishioners."—*Scottish MSS.* P.R.O. xx.

usual for the Crown practically to give the right of presentation to the heritors; and there is reason to believe that, as the loyalty and efficiency of the Evangelicals became manifest, the heritors were encouraged to consult the people,[1] on the principle that, as the political demands of the latter could not be conceded, it was the more prudent to allow them some freedom in their choice of pastors. The magistrates of Lanark may have acted on their own initiative when in 1793 they held a four days' poll in order to determine on whose behalf they should apply for a Crown presentation, and the successful candidate in this case did not obtain the living; but in 1799, when a similar course was adopted by the principal heritor of Denny, the Government endorsed his action by offering to the parishioners a reduced leet of four and presenting the Evangelical divine who had been unanimously elected—a Mr. Dempster, secretary to a missionary society at Perth. Finlayson and two other ministers, who regarded Denny as "a place notorious for disaffection," protested vehemently against this proceeding as a mere surrender to the mob; and one of them—Robert Knox, the dubious presentee of Larbert[2]—wrote thus: "I highly disapprove of the conduct adopted by some gentlemen of late of applying the presentation to the man who is the choice of the people, because they say the times are dangerous. If this conduct should become general, you destroy the Church, you destroy the State, you fill the people with the dangerous idea that their will is and must be law." It was avowedly on the principle thus condemned that the heritors and communicants of Slamannan in the previous year had petitioned the Duke of Montrose to use his influence with the Govern-

[1] See Buchanan's *Ten Years' Conflict*, p. 173. [2] See p. 108.

ment in favour of a Mr. Robertson; and the Duke, in intimating that he was pledged to another candidate, reminded the petitioners that he had gratified them on the occasion of the last vacancy, and said he "hoped the parish did not expect always to appoint the minister."[1]

Moderatism as a parochial institution had merits to which it has not been possible to do justice in a survey of its official and political life;[2] and it ought in fairness to be said that the danger to which it was peculiarly exposed was one which affected the Church as a whole. In a contribution to a London periodical, which was reprinted in the *Scots Magazine* for 1801, an attempt is made to explain the growth of Dissent in Scotland; and, though the progress of this movement is greatly overrated by the writer when he expresses his apprehension that in a few years the office of a parish minister may become a mere sinecure, one cannot but agree with him in regard to its cause. He points out that the progress of the clergy in mental cultivation and refinement had been fatal to their popularity, partly indeed because few of them could preach with fluency and vigour in a language which was not that of their daily talk, but chiefly because the masses, and many even of the middle class, had not participated in this intellectual advance. "The disposition of the people

[1] *Laing MSS.*

[2] No Evangelical divine can have been more truly the father of his parish than was James Goldie, the shooting, coursing and agricultural minister of Temple. In a cutting from the *Scotsman* I have a fine appreciation of his character, but unfortunately it bears no date. Of "a little merry man" in the Highlands, who was a better hand at a bowl of punch than at a sermon, we are told: "He found his parish a nest of smugglers, cattle-stealers, idlers, every sort of immorality rife in it. He left it filled by the best-conducted set of people in the country."—*Memoirs of a Highland Lady*, p. 192.

to desert the established places of worship originated with the first dawn of taste and elegant literature among the clergy, and has since gradually increased as these qualities have been more widely diffused." The intelligence of the Scottish peasantry may have been superior to that of the same class in other countries, but it was shown chiefly in "polemical acuteness"—a characteristic noted by Burnet in 1670.[1] The same works of "technical divinity and mystical rant" which had delighted their Puritan forefathers were still their favourite studies; and one cannot wonder at the prevalence of such literature when we are told that the Westminster Catechism was the first book children were taught to read and that "in all the common editions the alphabet is prefixed as a help to the master in teaching the letters." Patronage was hateful to the peasantry as the instrument of their subjection to pastors of a more modern stamp; and the exodus on this account would doubtless have been even greater than it was if the type of Evangelicalism introduced by Whitefield and his disciples, whilst fostering the Calvinism of the masses, had not discouraged their fondness for ecclesiastical disputes. It is obvious, however, that this great body of uncultured, if not illiterate, opinion was prepared to welcome the theocracy as well as the theology of the Covenant; and we shall see in a subsequent chapter how the revival of this spirit completed the downfall of Moderatism and brought about the secession of 1843.

[1] See *Politics and Religion in Scotland*, ii. 246.

CHAPTER III.

WAR AND REPRESSION, 1797–1820.

We have seen that the four centuries which have been completed since modern gave place to mediaeval history present themselves in England as epochs and not merely as periods, that each of them has borrowed almost to the same extent from its successor, and that from this point of view the eighteenth century may be said to have terminated with the outbreak in 1789 of the French Revolution. But, though the rise of the people as a political power, which was to give a distinctive character to the next hundred years, was then inaugurated, one cannot but notice that it entered on a new phase at the commencement of the nineteenth century. The war which ended in 1802 had originated as a struggle of the French to maintain their democratic ideal against a combination of the European monarchies; but, owing first to the enthusiasm of Jacobinism, and then to the military genius of Bonaparte, it developed from a war of defence into a war of conquest; and in the subsequent conflict, which was finally decided on the field of Waterloo, it was the peoples as much as the governments of Europe that struck down the great soldier who was trampling alike on nationality and freedom.

Great Britain contributed materially to this change in the character of the war. Pitt had refused to participate in the anti-revolutionary crusade which was vehemently propagated by Burke; but, when the French occupation of Belgium had made war inevitable, he was unable to dissociate himself from the temper of his associates and allies, and was thus committed to the suppression of liberty at home and abroad. A path of greater usefulness and glory opened, however, to Pitt and his successors with the renewal of hostilities after the Peace of Amiens. Napoleon's great scheme for the invasion of these islands was frustrated in 1805; and Nelson's victory of Trafalgar—"the greatest and most momentous victory won either by land or sea during the whole of the Revolutionary War"[1]—reduced him to adopt measures for the humiliation of his adversary which recoiled fatally on himself. No longer able to challenge the maritime supremacy of Great Britain, he sought to sap the basis of her naval power by enforcing a universal boycott of her commerce; and this project, which brought discomfort and even privation to thousands of homes, not only roused against him the popular feeling of Europe, but led him in the course of its prosecution to annex Naples, the Papal States, Holland and North Germany, and to embark on his two most disastrous enterprises—the Peninsular War and the invasion of Russia. "It is the English," he said, "who have forced me to aggrandise myself unceasingly."[2]

Scotland, though far removed from the centre of gravity at Westminster, could not but be affected by forces which were operative throughout the whole of Western Europe; and the influence of these forces may

[1] Fyffe's *Modern Europe*, 1891, i. 290.

[2] Mahan's *Sea Power and the French Revolution*.

be traced in the shifting of her military organisation from a political to a national basis. On the outbreak of war five regiments were raised in the Highlands as an addition to the regular army, and arrangements were made in the same quarter to levy a large force of "Fencibles"—so-called because their service was limited to Scotland or at least to the British Isles. These troops were to be employed primarily against a foreign foe; but the agitation for parliamentary reform and the audacity of its promoters in parading their enthusiasm for the French Revolution suggested a nearer and more imminent peril; and in 1794, after the British Convention had been dispersed at Edinburgh,[1] persons willing to co-operate in the maintenance of "internal tranquillity" were invited to enrol themselves as Volunteers. The response to this appeal, which seems to have been confined at first to the wealthier classes, was stimulated by the discovery of a plot for a joint rising in England and Scotland; and in 1796 the Volunteers, in whose uniform loyalty could assert itself and disloyalty expiate its sins, had grown so largely and so widely that either a regiment or a company existed in forty-one districts.[2] These units were associated in a common dread of Jacobinism, and indeed members of the Edinburgh corps were bound by their articles only to abjure and, if necessary, to suppress the Friends of the People.[3] Principal Hill, dismayed at the popular character of the force, thought it a danger rather than a security to the constitution. Writing in confidence to Carlyle, he confessed that he dreaded "the Volunteers more than the French."

[1] See p. 10.

[2] Meikle's *Scotland and the French Revolution*, pp. 148, 153, 154.

[3] *Scots Magazine*, 1794, p. 649; Cockburn's *Memorials*, p. 62.

The first Edinburgh regiment consisted wholly of gentlemen; but the corps now being formed in all the burghs were "a promiscuous armed democracy"; many suspicious persons were professing loyalty in order to obtain arms; and the whole system, as he conceived it, was socially unwholesome. "It takes tradesmen from the quiet routine of labour and gives them a restless, bustling spirit. It confounds the distinctions of rank, and produces pert, assuming manners."[1]

The movement did not justify the misgivings of this timorous divine, however it may have impaired the torpor and humility which he thought so desirable in tradesmen. In the winter and spring of 1800 there was much distress and "a tendency to riot," owing to the high price of provisions, and especially of oatmeal; and on April 30 some of the meal merchants in Edinburgh and Leith had their supplies seized on the way to market and their warehouses pillaged.[2] Charles Hope—soon to be Lord Advocate—who commanded the First Royal Edinburgh Volunteers, found it "a matter of delicate consideration what to do with the corps"; but, as the commanders of less exclusive regiments were prepared to answer for their men, it was resolved to employ a hundred of each battalion; and through the exertions of this force, which Hope warmly praised, order was soon restored at the cost of one broken head and "a devilish deal of fatigue."[3]

It had always been understood that, though the Volunteers existed primarily to put down disturbers

[1] Hill to Carlyle, March 21, 1797—*Carlyle MSS.* He had written to the same effect and in almost the same words to Dundas on March 2.—*Laing MSS.*

[2] *Scots Magazine*, 1800, p. 359.

[3] Hope to Robert Dundas, May 1, 1800.—*Scottish MSS.* P.R.O. xvii.

of the peace, they would also be available in case of invasion; and the problem of defence was discussed on grounds similar to those with which we are familiar at the present day. Principal Hill, who belonged to what would now be called the "Blue Water" school, thought it very unlikely that the Volunteers as a body would ever be called upon to take the field. One or two of the enemy's cruisers might, indeed, do some damage, "but how is it possible in the face of our fleets to transport any force equal to a serious invasion?" Dundas considered that to repel "small predatory landings" was all that could be expected of the Volunteers, and that only the corps which had been formed in or near the coast towns could be used for the purpose; but, unlike Hill, he believed that a general invasion was not impossible, and that preparations for that contingency should at once be made. In a long letter[1] to his nephew, the Lord Advocate, of March 7, 1797, he stated that he had given it as his opinion that "the skeletons of regiments" which had returned from abroad should be distributed as recruiting centres over the United Kingdom; that men should be enlisted —including drafts from the Fencible battalions—on condition of not serving abroad or for more than three or five years; and, further, that a form of compulsory service should be introduced. It might suffice for the future in time of peace that all youths of twenty years of age should be trained to arms, but in the present state of affairs it would be necessary to ballot the manhood of the nation from twenty to thirty in order to raise a force of ten or twelve thousand. This proposal, reduced to the selection of 6000 men from those between nineteen and twenty-three, was at once adopted.

[1] Meikle, Appendix C.

In earlier days, when the Scots still laboured under the imputation of Jacobitism, they had twice agitated for permission to form a militia, and on both occasions their request had been refused;[1] but the Militia Act of 1797 was fiercely resisted, partly because the exemption of Volunteers and the permission to purchase substitutes caused the burden to fall most heavily on the poor, and partly through the action of certain secret societies which were in sympathy with the impending Irish Rebellion. Rioting was almost universal, and at Tranent in East Lothian, where the most serious disturbance took place, eleven persons were killed by the military and a dozen wounded.[2]

The rising of Catholics and republicans in Ireland proved less formidable than had been anticipated, and its suppression occupied only about a month in the summer of 1798. George Mealmaker, its chief representative in Scotland, had been tried and transported in the previous January; but the Militia Act and the distressful winter of 1799-1800 enabled the United Scots, who had formed themselves on the model of the United Irishmen and many of whom were themselves Irish, to prolong a covert agitation which caused considerable alarm till its real dimensions became known. As late as 1802 Lord Advocate Hope was informed that all the Fife Militia, "except seven stupid fellows," and the whole of a Perth battalion of Volunteers were United Scots, and that "many stands of arms had been conveyed from one place to another by persons in mourning, pretending that they were employed in a funeral."[3]

[1] See *The Awakening of Scotland*, pp. 37, 80.

[2] Meikle, pp. 179-183.

[3] Hope to Lord Pelham, April 2, 1802.—*Scottish MSS.* P.R.O. xviii.

How little life there was in these smouldering embers of sedition was made manifest when the Peace of Amiens, after little more than a year's duration, came to an end in May, 1803. At first, indeed, the renewal of hostilities and an outbreak instigated by French agents in Dublin gave a temporary fillip to the United Scots. In August of this year it was reported that the Edinburgh societies, though strong only in their secrecy, were "all alive again," that many suspicious persons were coming over from Ireland, and that in and around Glasgow there were 10,000 Irish—"very many of them known to be old rebels, not in the least reformed"—who would rise to a man should the enemy make a descent on the East Coast.[1] Disaffection could not, however, assert itself in face of the warlike enthusiasm which swept over the country when it was seen that the French Revolution had devoured its own ideal of political, if not of social, equality, and that the military despotism to which it had given birth was seeking seriously to establish itself on British soil. "Instead of Jacobinism," says Lord Cockburn, "Invasion became the word."[2] Within a month after the declaration of war all the Volunteer corps which had been disbanded at the peace were again under arms; Tories, Whigs and democrats proved equally patriotic; and Lord Advocate Hope, who had engrossed the civil and much of the military administration,[3] omitted no precaution which could bring home to his countrymen a sense of

[1] *Scottish MSS.* P.R.O. xviii. [2] *Memorials*, p. 164.

[3] Addressing the House of Commons on June 6, 1804, he said: "I may state without exaggeration that, since the first passing of the Acts for the defence of the country, I have given to Lord Lieutenants and others employed in carrying these Acts into effect no less than eight hundred different opinions on the subject of military arrangements."—Cobbett, ii. 802. See also *Edinburgh Review*, xxxix. 370.

their peril. Batteries were erected on the shores and islands of the Firth of Forth; nine ferry boats plying between Leith and Kinghorn and a whole fleet of herring boats were armed with carronades; provision was made for establishing a new seat of government, should the French succeed in capturing Edinburgh; and the inhabitants were required to lay in at least ten days' consumption of flour, meal or biscuits, in case it should be necessary to destroy the mills and granaries which supplied their market.[1] But Hope was a soldier as well as an administrator; and with these measures for the public safety he combined an almost fatherly interest in his own regiment—the First Royal Edinburgh Regiment—of gentlemen volunteers. Members of this select corps were warned that their Lieutenant-Colonel would allow none of them to go on active service who had not provided himself with such articles as a worsted or flannel nightcap, two flannel undervests and two pairs of flannel drawers; and it was earnestly recommended "that no gentleman shall lie down to sleep while warm or with wet feet."[2]

There was abundance of drilling, parading, and sham-fighting; but in the opinion of Cockburn, who commanded a Midlothian company, it amounted to no more than "playing at soldiers." The Volunteers were, he thought, invaluable as a source of recruiting for the regular army, and the material of many regiments was excellent; but, as they were neither trained nor equipped to act together in large masses, he considered them quite unfit for immediate service.[3] An incident, however, occurred which showed that the Volunteers, however they might have fared against the seasoned

[1] *Scottish MSS.* P.R.O. xviii.

[2] Cockburn's *Memorials*, Appendix.

[3] *Ibid.* p. 167.

veterans of Napoleon, were at least eager to be put to the test. On the evening of February 2, 1804, one of the Border beacons was fired, owing to a mistake on the part of its watchman; and we learn from Scott and other writers with what alacrity and enthusiasm the signal was received—how the men of Liddesdale requisitioned all the horses they could find in order to accelerate their march; how the Selkirkshire Yeomanry, though many of them lived twenty or thirty miles from their place of muster, were at Dalkeith at one o'clock on the following day; how Andrew Thomson, the Evangelical pastor of Sprouston, collected the Volunteers of his parish and marched into Kelso at their head; and how Scott himself, who was then in Cumberland, covered a hundred miles in twenty-four hours.[1] It was such a spirit as this that in countries which were open to Napoleon's arms proved fatal to his ambition.

The change in the character of the Volunteers from a political to a national, from a police to a military, force was a factor of no small importance in the rehabilitation of the Whigs. It was only within the previous twenty years that this party had been naturalised in Scotland. We have seen, indeed, that since the accession of George III. there had usually been some half-dozen of the Scottish members who could not be reckoned as Tories, but their independence was little more than the absorption of individuals into what was rather an English than a British party. When, however, the agitation against Lord North's Government, which was one result of the American War, had taken shape in Scotland as a wide and persistent demand for

[1] Scott's *The Antiquary*, note to chapter xxiv.; Lockhart's *Scott*, 1900, i. 426; Andrew Thomson, in *Dict. of National Biography*.

burgh reform, Whiggism was carried across the Tweed to find a welcome in many middle-class homes; and in the general awakening caused by the French Revolution it passed from the municipal into the political sphere and evoked, or rather created, a thoroughly popular spirit. But this extension of the movement exposed it to defeat. In a country which had not emerged from feudalism it was naturally thought intolerable that peasants and artisans, whose long and wholesome slumbers had been broken by the tocsin of Paris, should be demanding manhood suffrage and annual Parliaments; the constitution, once barely respectable, became sacred; the burgh reformers, finding that even municipal corruption had acquired an odour of sanctity, retired from the field; and society frowned heavily on those whom it could not seduce from their allegiance to a ruined cause. Cockburn, smarting from the sting of personal recollection, has brought vividly before us the dull and bitter intolerance of these days. We realise in his pages what it must have meant for a professional man at the outset of his career to avow himself a Whig, and how close must have been the fellowship which united the thirty-eight advocates who voted against the deposition of their chief, Henry Erskine, from his headship of the Bar. But greater, as Cockburn justly surmises, must have been the sacrifice demanded of those nameless and scattered individuals who manned the outposts of liberalism in the country or in country towns, "open to all the contumely and obstruction that local insolence could practise and unsupported probably by any associate cherishing kindred thoughts."[1]

A kindlier spirit, a less unwholesome social atmosphere,

[1] *Memorials*, p. 90.

could not fail to be diffused when the friends of the constitution and its reputed enemies were serving side by side in fulfilment of a patriotic duty; and just as the Whigs were emerging from the shadow of Jacobinism their intellectual ascendency was established by the publication of the *Edinburgh Review*. It was in March, 1802, when peace was being concluded at Amiens, that Sydney Smith, then residing at Edinburgh with a private pupil, induced three young advocates—Jeffrey, Brougham and Horner—to concur with him in this project; and the outcome of their joint labours appeared —under the buff and blue colours which have now seen more than a century of honourable service—on October 10. They were courageous enough to open with a review by Jeffrey of a work on the causes of the French Revolution; and in this article they defined their position, at once liberal and moderate, by insisting that a spirit of sober and rational inquiry is not to be discouraged on account of the practical errors or excesses to which it may give rise, and that irreligion and fanaticism are equally subversive of order. At a time when no serious attempt had yet been made to combine literature and journalism the wit and scholarship associated in this enterprise would probably have been enough to ensure its success; but political discussion was little less of a novelty in the periodical press; and "the temperate air" of the *Review* was an unwelcome surprise to those who had predicted that "nothing short of blood and atheism and democracy" could emanate from these brilliant but rash and unprincipled young men.[1] What they had achieved was food for astonishment even to themselves. Cockburn and Mrs. Fletcher, whose husband was the pioneer of

[1] Horner's *Memoirs*, i. 204.

burgh reform, concur in describing its effect as "electrical," and the former assures us that no one but a contemporary could be made "to feel or almost to understand" the impression it produced. Three editions of the first number were speedily exhausted. In less than a year Jeffrey as editor was receiving a salary of £300 and contributors were being paid at least ten guineas a sheet. Edinburgh recovered much of its literary reputation, and, though still almost enveloped in the mists of reaction, became a point of light to all liberal thinkers.[1]

The Whigs had barely entered on the path marked out for them by the Volunteer movement and the *Review*, when the greatest obstacle to their progress was unexpectedly removed. In April, 1805, Henry Dundas, Viscount Melville, retired from the Cabinet in consequence of a resolution of censure which was carried against him in the Commons by the Speaker's casting vote. Soon afterwards he was impeached for peculation; and the proceedings, though they terminated in his acquittal, shook the whole fabric of Scottish Toryism and effectually broke its spell. In 1783, when the Coalition Ministry was about to dispense with his services as Lord Advocate, Dundas had boasted "that no man in Scotland would dare to take his post"; from 1801 to 1803, when he was out of office with Pitt, his friends in Scotland are described by Lord Brougham as "fluttering about like birds in an eclipse or a thunderstorm";[2] and the effect may be imagined when the man who for nearly a generation had dominated the public life of his country was not only censured and superseded, but brought to trial. "People," we are

[1] *Memoirs* of Brougham, Cockburn, Jeffrey and Mrs. Fletcher.

[2] See *The Awakening of Scotland*, pp. 89, 115.

told, "could scarcely believe their senses." On January 23, 1806, whilst the impeachment was still in progress, Pitt died; and George III., after attempting to continue the Government, was forced to reconstitute it as "the Ministry of all the Talents"—much more Whig than Tory—under Lord Grenville and Fox. Henry Erskine, who had been the Coalition Lord Advocate, returned, after more than twenty years, to that office; Lauderdale, Fox's intimate friend, took the place of Melville as dispenser of patronage; and the administrative system, which had so long been used to depress the Whigs, passed for fourteen months into their hands.

Little could be done in so brief a space; but the new Government made the most of its time in attempting to remodel the Court of Session. The lapse of more than two and a half centuries had seen no material change in the constitution of this court. It consisted of fifteen judges, each of whom, with the exception of the President, officiated for a week in rotation as Lord Ordinary in what was called the Outer House, whilst his brethren, sitting as one bench in the Inner House, were occupied mainly in reviewing his and their own decisions. This system, however it may have answered at a time when litigation was confined, for the most part, to landowners and to questions of feudal law, proved quite unequal to the business that was thrown upon it by the growth of industry and trade. The Lord Ordinary during his week of service in the Outer House had usually before him little short of two hundred new causes; and, though a few odd hours were assigned to him after the conclusion of this period, he could seldom overtake more than four-fifths of his task. In the Inner House business was conducted

mainly by printed papers, and the counsel who prepared these documents had nothing but their own sense of discretion to restrain them from being as prolix and irrelevant as they pleased. It was calculated in 1789 that the unfortunate members of this court, in addition to their labours as Lords Ordinary, had to read in the course of six months about 25,000 quarto pages of print and nearly half as much more in manuscript from the Outer House, whilst six of them as Lords of Justiciary were also burdened with the conduct of criminal trials. Fifteen judges, irreverently described as a "learned crowd," whose functions were discharged partly by one of their number and partly by all, were obviously both too few and too many; and the system had a further disadvantage which was more likely to attract attention at Westminster than that of an over-worked and over-manned bench. Reading their papers at home, and having no time for consultation, the judges could seldom be brought to agree; debating and voting impaired the moral weight of their decisions; and whoever voted without speaking—and they could not all make speeches—was supposed not to have studied the case. The result was that disappointed litigants too frequently carried their pretensions to the House of Lords. In 1786 appeals from the Court of Session—very few of them successful—were six times as numerous as those from all the three English courts.[1]

The Grenville Cabinet did not succeed in remedying these evils. In conformity with certain resolutions adopted by the House of Lords, a Bill was introduced which provided that the Court of Session should be divided into three co-ordinate chambers, each of five

[1] Lord Swinton's *Considerations on a Proposal for Dividing the Court of Session*, 1789; *Edinburgh Review*, January, 1807.

judges; that the heads of these courts, with the Chief Baron of the Exchequer and a person to be appointed by the Crown as President, should be formed into a Court of Review; and that trial by jury in civil causes, which had once prevailed in Scotland, should be revived. The last of these provisions was intended to remove an intolerable grievance. As the judges had no time to examine witnesses, it had been the custom for more than a century to employ commissioners; and the expense of this system is said to have been "most enormous," and its results more copious than valuable—especially when the evidence was taken by "private men, often of very inferior character, after dinner, and bottles and glasses on the table."[1] In the Faculty of Advocates a report favourable to the Bill was carried by a majority of two, procured, according to Lord Hermand, by hunting up the non-practising members and "even ransacking Bedlam, for one man understood to be lunatic was brought forward";[2] but eleven of the fifteen judges reported against the Bill; and many even of the Whigs seem to have doubted whether the proposed Court of Review would be of much service to the Lords in damming back "the torrent of appeals."

On March 18, 1807, the Grenville Ministry resigned in consequence of the King's refusal to admit Catholics as naval and military officers; and the project of

[1] Swinton's *Considerations*, p. 53.

[2] A volume in the Signet Library contains a transcript of many letters to and from Lord Hermand on this subject as well as printed papers. Twenty-eight Advocates, amongst whom was Walter Scott, protested against the Bill, chiefly on the plea, which was always brought forward on such occasions, that it violated the Union. Some of them had not "yet seen reason to be satisfied of the necessity of any division into chambers."

judicial reform was taken up by the Tories, whose ascendency was to be unbroken for the next twenty-three years. In 1808 it was enacted that the Court of Session should sit henceforth in two divisions, the first consisting of the Lord President and seven judges and the second of the Lord Justice-Clerk and six judges; and commissioners were appointed to inquire as to further improvements, and particularly as to the establishment of civil juries. In 1810 certain of the judges were removed from each division to act as permanent Lords Ordinary; and in 1815 the civil jury was instituted under the superintendence of a special court. William Adam, who had had a long and varied parliamentary career,[1] presided over this court till in 1830 it was merged in the Court of Session. In 1836 the staff of judges was reduced to its present number of thirteen.

A tendency to disunion amongst the Whigs was disclosed and aggravated by their brief tenure of office. The young men, whose opinions found expression in the *Edinburgh Review*, were regarded with some disfavour by their elderly colleagues; and one of these was still smarting from the chastisement he had suffered at their hands. Lauderdale in 1804 had published *An Inquiry into the Nature and Origin of Public Wealth*; and Brougham had described it "as a collection of positions, all of them either self-evident or obviously false, and founded upon errors which the slightest attention is sufficient to detect."[2] The author published certain *Strictures* in reply to this estimate of his work, and the anonymous critic retaliated in some very candid *Thoughts*. When the Grenville Ministry was

[1] See *The Awakening of Scotland*, p. 98.

[2] *Edinburgh Review*, July, 1804.

formed, the younger Whigs complained that all political power was engrossed by Lauderdale and the two Crown lawyers, Erskine and Clerk, who never consulted them, and the sympathies of whose associates in England, if not their own, were believed to be rather with the aristocracy than with the people. Jeffrey admitted in private that he "had no confidence in Lord Grey or Grenville."[1] In an article on the resolutions of the Lords which foreshadowed the scheme of judicial reform, he expressed himself as entirely opposed "to any new chamber of review," suggested the appointment of permanent Lords Ordinary, and gave only a very grudging approval to the introduction of a civil jury.[2] When the Tories had returned to power, the resolutions of the Faculty of Advocates in favour of Lord Chancellor Eldon's Bill were moved by Jeffrey, whilst Erskine and many of his friends refused to attend the meeting, on the ground that the Faculty had signified its approbation of the former Bill.[3] A schism which was caused mainly by the youth and supposed immaturity of one section of the Whigs could not, however, but be healed by the mere lapse of time; and the success achieved by two members of this group at Westminster assisted their comrades at Edinburgh in attaining the position to which they aspired.

It would be difficult to mention two public men of this period whose early careers were so similar and whose dispositions were so diverse as Francis Horner and Henry Peter Brougham. Both were born at Edinburgh in 1778; they were closely associated at the High School and the University, in the Parliament House and on the staff of the *Edinburgh Review*, being

[1] *Life*, i. 196. [2] *Edinburgh Review*, January, 1807.
[3] *Scots Magazine*, 1808, p. 69.

admitted on the same day to the Speculative Society and in the same month to the Faculty of Advocates; both forsook the Scottish for the English Bar, and both entered Parliament. It was a common apology for the old representative system that it facilitated the admission to public life of such men as Horner, who was still but a law student when returned in 1806 for St. Ives; his diffidence and modesty were frequently the despair of his friends; and a popular constituency would hardly have understood or appreciated the very moderate Whig, more solid than brilliant, who is said to have been "the first man who ever made the doctrines of political economy intelligible to the House of Commons."[1] His reputation as a debater, acquired during the uncertain tenure of rotten boroughs, was based mainly on his handling of such subjects as the corn laws and the suspension of cash payments; but his rapid rise to eminence, unaided by rank or wealth or genius, must be ascribed in great measure to "a character that made him almost the representative of virtue itself."[2] Lord Grenville in 1811, anticipating that the Whigs would be recalled to power, offered him the post of Financial Secretary to the Treasury, and this he declined on the ground that he had resolved on entering Parliament not to accept office till, through the growth of his practice at the Bar, he should have become independent of its gains; and in the following year, when the same statesman desired to make good the loss of his seat, we find him urging the claims of Romilly, who had just been defeated at Bristol, as "far before mine." His death in Italy at the early age of thirty-eight evoked a tribute to his worth in the House of Commons

[1] Campbell's *Lives of the Lord Chancellors*, viii. 263.

[2] Cockburn's *Memorials*, p. 268.

such as has seldom, if ever, been accorded to a private member; and Sydney Smith wrote: "I remember the death of many eminent Englishmen, but I can safely say I never remember an impression so general as that excited by the death of Francis Horner."[1]

A greater contrast to Horner in the slow and regular development of his powers can hardly be imagined than Brougham, the grand-nephew of Principal Robertson,[2] who had been a prodigy ever since at the High School he had first imposed upon his master by a display of bad Latin and then proved, after merited castigation, that all the expressions objected to were to be found in the best classical authors. As a student at the University he divided his leisure between the grave debates of the Speculative Society and such playful relaxation as "rollicking in taverns, ringing bells in the streets, twisting off bell-pulls and knockers, or smashing lamps."[3] He passed Advocate in June, 1800, and opened his brief career at the Scottish Bar by sharpening his wits at the expense of Lord Eskgrove—a quaint old judge whom on one occasion he nearly upset by driving a one-horse chaise through his judicial procession at Jedburgh. It was only after considerable hesitation that he consented to join the projectors of the *Edinburgh Review*; but the extraordinary success of that venture removed all his scruples; and, according to his own account, he contributed eighty articles—five more than Jeffrey—to the first twenty numbers.[4]

[1] Horner's *Memoirs*, ii. 76, 131.

[2] Brougham's father, a gentleman of Westmoreland, had settled in Edinburgh and married the Principal's niece.

[3] Jeffrey, in a letter to Horner, says that "Brougham is roaming the streets with the men of Belial."—*Life*, ii. 67.

[4] *The Life and Times of Henry, Lord Brougham, Written by Himself*, i. 259. This work is not very reliable. Walpole (*History of England*,

So versatile and fascinating a man could not but be a welcome addition to political society in London, and Brougham soon made himself indispensable to the Whigs by his amazing facility in the production of pamphlets; but they proved much less eager than he had anticipated either to enlist or to retain his services in Parliament. He had been five years in London and had established his supremacy at the Bar as a pleader in political causes when in 1810 they found a seat for him at Camelford; and, though in four months he had almost supplanted Ponsonby, the leader of the Opposition, whom he was credited with calling "an old woman,"[1] they allowed him to drop out at the General Election of 1812, and did not recall him till 1815. "The painstaking and solemn Horner," whose borough had also failed him, was reinstated much sooner; but Brougham, unlike the rival whom he thus characterised, made enemies as well as friends, and was reputed more brilliant than steady.[2]

An event occurred at this period which must divert our attention from political to social life. Great Britain, having command of the sea and being secure from invasion, could not but benefit materially from a war which was disastrous to almost all her rivals in trade; but the corn laws, a depreciated currency, and fluctuations of commerce, due to the closing and re-opening of foreign ports, caused widespread distress; and there were circumstances peculiar to the cotton manufacture which made its hardships unusually severe. The inventions of Hargreaves, Arkwright and Crompton, which

i. 312) adduces evidence that the author must have wilfully altered or re-written the correspondence of his youth.

[1] *Quarterly Review*, cxxii. [2] Campbell's *Lord Chancellors*, vol. viii.

were turned to full account after 1780, had given a great impetus to the spinning of cotton thread; but no similar improvements had taken place in the weaving of thread into cloth, for Cartwright's power-loom, though patented in its first and crudest form as early as 1785, was only coming into use more than twenty years later; and weavers were consequently unable to keep pace with the production of yarn. So great was the demand for their services, and so well paid and so independent was the calling which they carried on in their own homes, that labour was attracted from other employments, especially from agriculture; rules of apprenticeship, never well established in this industry, were soon almost ignored; and the level of wages was thus depressed by an influx of workmen accustomed to lower rates of pay. The remuneration of weavers, scanty enough in 1800, had fallen to about half as little in 1808; and in a petition presented to the Commons in 1813 the Bolton weavers represented that for the last two and a half years they had had to face "the extravagant prices of provisions" on an average of 5s. a week. In 1795 and again in 1808 the distressed artisans besought Parliament to come to their relief by fixing a minimum wage; but the second of these appeals, owing to the rise of modern economics, met with less sympathy than the first; an attempt which they made in 1811 to procure a statutory limitation of apprentices was equally unsuccessful; and in the following year, having discovered a remedy for their grievances in the existing law, they fell back on the Act of Elizabeth which empowered the magistrates in Quarter Sessions to assess wages.[1]

[1] Cunningham's *Growth of English Industry and Commerce*, 1903, iii. 632-637. In the North of England, where it was longest in operation,

Glasgow had thrown itself with great energy into the cotton manufacture as a means of recovering the prosperity it had lost during the American War; and here the controversy between the masters and the men was brought to a decisive issue. The weavers of this district had co-operated with those of Lancashire—indeed, they had taken the lead—in making representations to Parliament; and they were encouraged to seek the same remedy[1] as their English associates by a remark of Lord President Hope, who in trying a case at Glasgow in 1811 had declared that combinations of workmen were the more inexcusable as magistrates had full power to fix wages and to settle disputes. An application was made in January, 1812, to the Provost and Magistrates of Glasgow; but these officials announced to the petitioners that they had "thought it right to consult three of the most eminent counsel" and were advised that they had no authority to deal with wages. The weavers, however, having obtained a more favourable opinion from Jeffrey and Cockburn, had recourse to the Justices of the Peace for Lanarkshire; and the Justices not only found themselves competent, but called upon the employers, who had denied their jurisdiction, to consider a table of wages which had been submitted by the men. The employers then betook themselves to the Court of Session, which dismissed the appeal, confirmed the decision of the Justices, and instructed them to proceed with their task. The employers at this point withdrew from the case; but

the Elizabethan Act seems to have been obsolete for about a century—Thorold Rogers' *Economic Interpretation of History*, 7th edition, p. 43; but it was revived by statute in 1773 in the case of the Spitalfields silk weavers.—Sidney and Beatrice Webb's *History of Trade Unionism*, p. 48.

[1] Acts similar to that of Elizabeth had been passed by the Scottish Parliament under James VI. and Charles I.

the men, though their opponents refused to meet them, were required to prove the equity of their demands; and on November 10, after a tedious and costly process, which lasted for two months and in the course of which about 120 witnesses were examined, they obtained the recognition, as moderate and reasonable, of a scale of wages ranging from about £1 to 8s. a week and yielding an average of 13s. 9d.[1] The employers, with some honourable exceptions, paid no attention to this award; and the men, thinking it useless to apply for a compulsory decree, resolved, after a final attempt at compromise, to cease work. In little more than a week they had organised a strike which extended over the whole country from the Solway to Aberdeen. In one day nearly 30,000 handloom weavers desisted from labour, and these were soon joined, in the more remote districts, by 10,000 more. The strike continued, wholly or partially, for over two months; but only half that period had elapsed, and the employers, though their profits had suffered through the outbreak in June of war with the United States, were on the point of yielding, when Lord Advocate Colquhoun sought to intimidate the strikers by arresting their leaders.[2]

[1] These were the rates demanded by the men, and they were somewhat modified. Members of ten other trades were examined by way of comparison, and in these trades the maximum was 25s. 6d., the minimum 12s., and the average 18s. 4½d. It should be observed that as the weavers, unlike most of the spinners, worked in their own homes, wages were frequently called prices, being the rates paid by the employers for various qualities of piecework. According to Peter Mackenzie, weavers at this period earned about 8s. 6d. a week, whilst a peck of meal cost 3s.—*Reminiscences of Glasgow and the West of Scotland*, i. 108.

[2] An excellent and graphic account of this dispute is given by John Joseph Dillon in a very long letter of December 18, 1812, to Lord Sidmouth, Home Secretary.—*Scottish MSS.* P.R.O. xxii. Dillon was an English barrister who had come to the west of Scotland on a visit to the Marquis of Douglas, afterwards Duke of Hamilton. A still more detailed account

This was a case of popular distemper to which the usual drastic treatment could not in decency be applied. Under an Act of 1800, which practically superseded one passed in the previous year, workmen who combined to influence an employer in the management of his business were liable to a penalty of two months' hard labour; but the existence of a tribunal competent to regulate wages had been cited from the Bench, not only in 1811, but still more explicitly in 1803, as the basis and justification of this law; and it had never been anticipated that the employers, to whom combination was also forbidden,[1] would refuse to recognise such a tribunal or would withhold from their operatives the increase in wages which it had declared to be their due. "If the Justices are of opinion," said the Lord Justice-Clerk in 1803, "that the wages are too low, they will raise them, and the masters of course must pay their workmen according to the higher rate."[2] The Lord Advocate, who was one of the three "eminent counsel" consulted by the Glasgow Magistrates, did not concur in this view;[3] but, as the men now on strike had won their case in the Court of Session, he could do little to coerce them so long as they abstained from riot or sedition; and elaborate precautions were taken to detect and restrain, if not to provoke, that

is that of Richmond, the men's chief leader, in his *Narrative of State Trials in Scotland*, 1824. It is summarised in *Reports from Committees*, 1824. v. 59; and its value seems to be little impaired by the fact that Richmond was subsequently a Government spy.

[1] In so far as it affected employers, the Act was then and always wholly inoperative.—Mr. and Mrs. Webb's *Trade Unionism*, p. 64.

[2] Quoted by Dillon in a letter to Sidmouth, December 20.

[3] It is noteworthy that Clerk, the late Solicitor-General, whose politics were comparatively popular, was also one of the three. The other was the Dean of Faculty. The employers, who were the real law-breakers, showed their disrespect for the Court of Session by publishing this opinion.

spirit. The strikers, to all appearance, behaved admirably; but at the instance of the employers, who are said to have done their utmost "to make out a case of violence," some 6000 soldiers were quartered in Glasgow; proclamations were issued making general charges of disorder and offering rewards for proof; letters were opened and houses were searched illegally for papers; and the arrests made in December seem to have been due to the discovery that Margarot, one of the political prisoners transported in 1794, had visited Glasgow and Paisley, and that some of his associates amongst the weavers were corresponding with Major Cartwright, who had founded an association in England for parliamentary reform. It was apparently on some such evidence that several of the leaders were sentenced in March, 1813, to terms of imprisonment varying from four to eighteen months; and in April, despite the piteous appeal of the Bolton weavers, an Act was passed which annulled all legislation, Scottish and English, for the regulation of wages—an Act which might have been neither inexpedient nor unjust if it had not deprived labour of all protection in its conflicts with capital at a time when it was forbidden to protect itself.

As the condition of the working classes had deteriorated during the war, they looked forward with eagerness to the conclusion of peace; but, though the war had caused violent fluctuations in wages, amounting in some cases to as much as thirty per cent. in a month,[1] it had given, on the whole, a powerful impetus to British trade; and, bad as the state of labour was during the struggle with Napoleon, it became worse after his fall. Napoleon's retreat to France after the battle

[1] *Reports from Committees*, 1824, v. 60.

of Leipzig in October, 1813, threw open the continental market, and this was followed in Great Britain by a mania for exportation which spread far beyond the regular traders, and is said to have included "not only clerks and labourers but menial servants"; but the war, however it may have whetted the appetite of foreign consumers, had greatly reduced their purchasing power, and the exported goods, where they could be sold at all, were disposed of at prices much below the home level.[1] This disastrous speculation and the reduction of military establishments which had drawn most of their supplies from this country caused a serious contraction of foreign trade—so serious that in the year after Waterloo exports decreased sixteen per cent. and imports twenty per cent. Our own Government cut down its Budget in three years to one half; and about 200,000 soldiers, militiamen, and sailors were discharged at a time when the labour market was already overstocked.

It had been anticipated that peace would at least ensure cheaper food. The war, combined with the growth of population, had caused a great development, or at least a great extension, of agriculture;[2] but, as the profits of the farmer, though frequently high, were as variable as prices, and as labour was encouraged to multiply itself by indiscriminate parish relief, the only real gainers were the landowners, whose rents, expanding with the margin of cultivation, are said to have risen seventy per cent.[3] In the autumn of 1815, after three good harvests, the price of wheat was

[1] Brougham's *Speeches*, i. 518.

[2] "The very village greens and the little stripes of sward by the wayside" had been "cut up into corn-fields in the rage for farming."—Brougham's *Speeches*, i. 513.

[3] *Cunningham*, iii. 728.

so low that many of the less productive farms were thrown out of tillage; but in the spring of that year, fearing that the opening of continental markets would complete their ruin, the landowners and farmers had induced Parliament to raise the level at which importation was permitted from 50s. to 80s. a quarter. In 1816 wheat rose steadily in value owing to the expectation—which was fully realised—of a bad harvest; and the poor, who had remonstrated in vain against the new Corn Law, found that peace had involved them in even greater miseries than war.

So cruel a disappointment of their hopes was too much for the patience of the people, and 1816, an exceptionally cold and wet year, was signalised in England by almost universal disorder. There were food riots in Devonshire; in the eastern counties barns and ricks were continually being fired; Littleport in Cambridgeshire was for two days at the mercy of a mob; depression in the iron trade caused disturbances in Staffordshire and South Wales; and machine-breaking was rife amongst the artisans of Nottingham and Leicester.[1] It was inevitable that the acute distress which was thus exploding throughout the country, aggravated as it was by increased taxes on food, should lead to a renewal of the demand for parliamentary reform. Most of the men who had toiled and suffered for that cause in 1794 were probably still living. Major Cartwright, who had resumed his activity in 1812, was a survivor of the antediluvian band which had advocated democracy even before the French Revolution;[2] and

[1] *Walpole*, i. 419-425.

[2] Cartwright, Christopher Wyvil, Sir Philip Francis and Earl Stanhope were the chief living representatives of this group, and the first three were of the same age, having been born in 1740. Cartwright was a Major in

the masses were as much edified and inflamed by the Radicalism[1] of Cobbett—the price of whose paper, *The Weekly Political Register*, was in this year reduced from a shilling to twopence[2]—as they had once been by the Jacobinism of Thomas Paine. In the opinion of the Government, projects such as manhood suffrage and annual Parliaments, which could be accomplished only by force, were little less reprehensible than attempts at open violence; and the whole movement was discredited by some reckless demagogues, such as Hunt, who provoked a serious riot at Spafields, London, and had plotted, if spies can be believed, to seize the Bank of England and the Tower. Meanwhile societies similar to those of 1794, but many of them socialistic rather than Radical, were springing up in all the principal towns; their designs were found to be treasonable by committees of both Lords and Commons; and in the spring of 1817, after the Prince Regent had been mobbed and insulted, Parliament restricted the right of public meeting and suspended the Habeas Corpus Act.

These measures were due as much to Scottish as to English discontent. In 1815 the Incorporated Trades

the Nottinghamshire Militia till deprived of his commission in 1792. He had been twenty years in the Navy, but refused in 1776 to serve against the American colonies, and was never again employed.—*Life and Correspondence*, i. 7, 81, 189. He was an enthusiast for what he insisted on calling the English, not the British, Constitution, but his knowledge of the subject was not equal to his zeal; for in a letter to Lord Holland he cited *Brevia Parliamentaria Rediviva*—the title of a treatise on parliamentary writs—as "Short Parliaments Restored."—*Edinburgh Review*, xxx. 199.

[1] This word had now come into general use. "The advocates of what is called radical reform are vigilant and active."—Dillon to Sidmouth, Dec. 31, 1812.

[2] The circulation is said to have gone up from 750 to 40,000 or 50,000 copies a week.—*Scotsman*, April 19, 1817.

of Dumbarton had petitioned against the Corn Bill on the very reasonable ground that, as the gains of the landholders from the war had been made at their expense, "they ought now at least to be allowed to avail themselves of those blessings which the course of events has brought within their reach." When the Bill became law, there were numerous riots; and the people of Glasgow were at pains to circulate a petition to the Commons in which they informed that "Honourable House" that in passing such a measure it had "manifested the most ineffable contempt of public opinion." Much, however, as the poor had expected to suffer from the dearness of food, their gloomiest anticipations were exceeded in the following year. We learn from Richmond, the strike leader of 1812, that the earnings of weavers were even then considerably below the rate approved by the Justices as moderate and reasonable, but that at the end of 1816 they had fallen to "not less than 70 per cent. under it"; and he himself "sold goods that year in a finished state at 1s. per yard which had cost 4s. 6d. for weaving only in 1809."[1] The weavers of Kirkcaldy issued an appeal to the public in which they showed by an enumeration of prices that the cost of providing necessaries for a family of five had risen in thirty years from 5s. 11d. a week to 11s. 5d.; and the Provost of Dundee reported that 5000 out of a population of 30,000 were dependent on charity.[2]

Major Cartwright devoted two months to the political enlightenment of Scotland in the summer of 1815. His object was to establish branches of a democratic society known as the Hampden Club; and from Edin-

[1] Richmond's *Narrative*, pp. 23, 57.

[2] *Scottish MSS.* P.R.O. xxv.-xxvii.

burgh, where he arrived on July 21, he itinerated westward to the Clyde, and northward to Dundee and Aberdeen.[1] The misery and destitution which prevailed during the ensuing winter months must have deepened the impression he had produced; and in the autumn of 1816 several merchants and manufacturers of Glasgow sought permission of the magistrates to hold a meeting in favour of retrenchment and reform. The magistrates prohibited the meeting and did their utmost to prevent it; but their efforts were frustrated by a Mr. Turner of Thrushgrove, who offered the use of his park; and here, within the city bounds and under the presidency of Turner, the meeting was held on October 23. It is said to have been attended in perfect order by 30,000 to 40,000 persons, and was certainly much the largest which had ever assembled for such a purpose in Scotland. The aged Sir Philip Francis, whom critics are now almost agreed in identifying with Junius, was so delighted with what he heard of this meeting that he declared "he could not leave the earth" without hearing more; and the London reformers, in recognition of such wholesome activity, sent down 50,000 copies of one of Cobbett's tracts.[2]

The meeting had appointed a committee to lay its grievances before the Prince Regent and both Houses of Parliament; and the committee, having selected Cartwright as its agent, received through him the discouraging intimation that its petition to the Regent had been referred to the Lords of the Treasury. The question of reform was to be raised at the re-assembling of Parliament on January 28, 1817; but there was

[1] *Life and Correspondence*, ii. 109.

[2] Mackenzie's *Reminiscences of Glasgow*, pp. 101-106; *Scots Magazine*, 1816, p. 873; *Scottish MSS.* P.R.O. xxvi.

little prospect of its being favourably considered; and about the middle of December Maconochie, who had succeeded Colquhoun as Lord Advocate, received information from various towns, but especially from Glasgow, that the seditious agitation, which had caused so much alarm more than twenty years ago, was reviving, and that some of the old leaders were again coming to the front. The reports from Glasgow, where the magistrates had ventured on their own responsibility to call out some of the local militia, were sufficiently alarming and precise, such as that the populace was about to revolt under a leader appropriately named Bogie, that "there are large depots of swords, halberds and pikes actually formed," and that a rising planned for "to-night" had been postponed "till ten o'clock on Monday." Later reports seemed, however, to disprove the imminence, if not the reality, of this peril; and the Government did not find itself in a position to take action till a man of real ability had been induced to offer his services as a spy.[1]

This was Richmond, who had proved his ability by organising the weavers' strike. On the advice of his counsel, Jeffrey and Cockburn, he had avoided conviction as a ringleader by leaving the country, and on his return in 1815 had suffered only a month's imprisonment. He was now in business as a cotton-dealer, but was preparing to relinquish that occupation in order to become overseer of the mills which Robert Owen, the well-known Socialist, had recently purchased from his father-in-law, David Dale,[2] at New Lanark. Richmond had attended the Thrushgrove meeting, where he regretted that he had not made a speech; and by mixing

[1] *Scottish MSS.* P.R.O. xxvi.-xxvii.

[2] See *The Awakening of Scotland*, p. 271.

with his old associates he soon discovered that two agitations, more or less distinct, were in progress—one, which was conducted in public, for procuring reform by petitions to Parliament, and the other, in the event of failure by such means, for extorting it by force. The latter was confined to a few hundreds of the poorest class—much too poor to form "large depots" of arms or even to communicate with similar bodies in England; but Richmond's report that these people had organised a secret association was confirmed from other sources; and he contrived at last to procure a copy of an oath by which they had bound themselves to endeavour, "either by moral or physical strength as the case may require," to obtain for all persons, "not disqualified by crimes or insanity, the elective franchise at the age of twenty-one, with free and equal representation and annual Parliaments." This oath brought its promoters within the scope of an Act passed only four years earlier; and the Government soon arrested the principal conspirators—much to the dismay of Richmond, who, if he is to be believed, had sought only "to induce them to give up their foolish project of their own accord." [1]

Maconochie had officiated as Lord Advocate for six months without gaining admission to Parliament; but in February, 1817, a seat was found for him in the Isle of Wight; and his maiden speech, in the course of which he produced and read the Glasgow oath, had a great effect in inducing the Commons to pass

[1] Richmond's *Narrative*, p. 110. It appears from the testimony of witnesses in an action for libel which he brought in 1833, and is implied in his own admissions, that Richmond, far from holding back the plotters, incited them to persevere; and it is a large assumption to make that he acted thus only in order to gain their confidence.—See *Exposure of the Spy-System*, and Tait's *Edinburgh Magazine*, May-August, 1833.

the Habeas Corpus Suspension Bill.[1] A more arduous task awaited him in Edinburgh, where the most eminent Whig counsel had combined to oppose him in a series of political trials. He had little difficulty in procuring the conviction of M'Laren and Baird, a weaver and a grocer, who had exposed themselves to a charge of sedition. M'Laren was a victim of the prevailing distress. Working fifteen hours a day, he had been able to earn only five shillings a week, whilst some of his neighbours, who were less expert at their craft, had to subsist, if they could, on three; and in a speech at Kilmarnock, which was delivered to an open-air meeting "in the midst of hail and wind and the noise of umbrellas," he had exhorted his hearers not to suffer "a base oligarchy to feed their filthy vermin on our vitals," but to appeal to the Regent, who, being a gracious prince, would not refuse to hear them, but who, if he did refuse, would forfeit all claim to their allegiance. "Yes, my fellow townsmen, in such a case to hell with our allegiance"—a phrase which he had defended as a quotation from Shakespeare.[2] Baird, in order to defray the expenses of the meeting, had printed and sold a report which included this speech. Both the prisoners, as men of excellent character, were recommended to mercy, and received sentence of six months'

[1] Omond's *Lord Advocates*, ii. 237-239.

[2] *Ibid.* ii. 240. A weaver who had read *Hamlet* was not such a curiosity in Scotland as he would have been in England. One of the Glasgow weavers mentioned incidentally that he had read since his arrest "near an hundred volumes."—*State Trials*, xxxiii. 591. Alexander Somerville, a private in the Scots Greys, was of opinion that the reputation gained by Scottish regiments during the Napoleonic War was largely due to the fact that the men, unlike the great majority of English and Irish soldiers, were able to write home to their friends. "It was the writing quite as much as the fighting of the Scots regiments which distinguished them."—*Autobiography of a Working Man*, p. 188.

imprisonment. Lord Sidmouth, the Home Secretary, was informed that a shorthand report of these and all subsequent proceedings would be published for the enlightenment of the public, which was far from being duly alarmed; but Maconochie's first triumph was to be also his last. In the case of Neil Douglas, a dissenting preacher, who was charged with sedition on account of a sermon in which he had drawn a parallel between the mental condition of the King and that of Nebuchadnezzar, the Crown lawyers were so disappointed in their own witnesses that they asked only for a verdict of "Not Proven," and had to accept one of acquittal;[1] and their discomfiture was completed when they attempted to put in force the Act of 1812, which made it felony to administer any oath or engagement intended to pledge the taker to commit treason.

Edgar, one of the Glasgow prisoners and the first person to be prosecuted in Scotland under this Act, was brought to trial on May 9, 1817. The Lord Advocate seems to have halted in opinion between the felony of the alleged oath and the treason of its object; and in this case and in the concurrent case of M'Kinlay he failed repeatedly in his endeavour to frame an indictment which should withstand the criticism brought to bear upon it by the defence. At length on July 19 the third indictment against M'Kinlay was permitted, despite its rejection by two[2] out of the five judges, to go to a proof; and a scene then occurred which Cockburn describes as "one of the most striking I ever witnessed in a court of justice."[3] John Campbell,

[1] *State Trials*, xxxiii. 2, 634.

[2] Lords Hermand and Gillies, the keenest Tory and the only Whig on the Justiciary Bench. The latter made no speech, but Maconochie mentions him as dissentient to Lord Sidmouth, July 18.

[3] *Memorials*, p. 285.

who was called first for the prosecution, on being asked the formal question whether anybody had rewarded or offered to reward him for giving evidence, answered in the affirmative, and declared that such an offer had been made to him by Home Drummond the Advocate-Depute. He was consequently withdrawn as either suborned or perjured; and, as the next three witnesses were of little more use—intoxication, which they all admitted, having so impaired the memory of one that he could remember the oath only from having seen it recently in the newspapers—the prosecutor threw up his case. The Act of 1812, if its character is to be inferred from the enormous mass of oral and written pleadings, must have been singularly obscure; but the Lord Advocate derived little credit from the legal discussions, which he left mainly to Drummond, and still less from his conduct as public prosecutor. It is true that he had to contend with the keenest wits at the Bar; but Colquhoun, in a letter to Sidmouth marked "private and confidential," had ridiculed his appointment in 1813 as Solicitor-General; the Glasgow magistrates are said to have thought little of his ability; and in the House of Commons Finlay, the member for Glasgow, and a keen promoter of the trials, declared it to be intolerable that the law should be "in the hands of a man who could not draw an indictment."[1]

Sedition might be crushed by superior force, but only a revival of trade could dissipate its cause; and the country seemed for a time to be entering on more prosperous days. As early as February 12, 1817, Lord Sidmouth was informed from Glasgow that wages in

[1] *State Trials*, vol. xxxiii.; Romilly's *Memoirs*, iii. 305-307. The prosecutions in England were equally unsuccessful, but there the authorities stultified themselves by trying to obtain verdicts of high treason.

many branches of industry were more than double what they had been a few months earlier, and that even at these rates good weavers could not easily be obtained;[1] and Walter Scott towards the end of the year wrote in the same buoyant spirit to the Duke of Buccleuch: "Trade of every kind is recovering, and not a loom is idle in Glasgow."[2] This activity was due to a shortage of supplies caused by the recent depression; but now, as in 1814, speculators over-estimated the deficiency which it was their interest to make good. The promising condition of industry during the greater part of 1818 gave rise to an importation of raw material, and especially of cotton, which proved to be much in excess of the demand; many of the importers who had counted on a continuance of high prices were ruined, and from February to July, 1819, there were about twice the usual number of bankruptcies in each month. Wages fell sharply with profits; and, though the price of wheat was rather below the level which had been expected from a long period of drought, bread and all other provisions were exceptionally dear.[3]

In 1819 as in 1816 the sufferings of the poor impelled them to agitate for parliamentary reform. Meetings with this object again became common in the Midlands, in Lancashire and Yorkshire. These were not infrequently attended by women; and the Annual Register records as "an entirely novel and truly portentous circumstance" that a Female Reform Society had been instituted at Bolton. A circumstance to which the authorities devoted more attention was that the Radicals were teaching themselves drill. There is some reason to believe that this practice, which was

[1] *Scottish MSS.* P.R.O. xxvii. [2] Quoted by Walpole, i. 448.
[3] Tooke's *History of Prices*, ii. 24-27, 61, 225.

conducted more or less openly and without arms, was intended merely to facilitate the marshalling of processions; but, however innocent in intention, it could not fail to excite alarm. In June a great meeting at Stockport was addressed by Sir Charles Wolseley, a Staffordshire baronet, who, as he informed his audience, had taken part in the storming of the Bastille; and, a fortnight later, Birmingham, with a view to enforcing its claim to representation, elected Sir Charles as its "Legislatorial Attorney." Manchester resolved to choose a similar representative; and the meeting, which was held for that purpose on August 16 and which the military dispersed, was to be long remembered as "the Manchester Massacre."[1]

Meanwhile what Cockburn calls "sedition of the stomach" was spreading rapidly in the west of Scotland. Not even in 1816 had the distress in that quarter been so acute. The weavers of Ayrshire had ample warrant for a petition in which they represented their net wages as 3s. 6d. for a week of ninety-six hours. Lord Cassilis, indeed, declared that they were "literally starving," and that "an ordinary weaver," working fourteen to sixteen hours a day, could earn no more than 2s. 7d. a week.[2] In Glasgow wages were sufficiently above this level to permit of a contest between those who were willing to accept a shilling a day and those who stood

[1] Harriet Martineau's *History of the Peace*, i. 226-234. Five or six persons were killed at Manchester and about a hundred injured. The meeting was orderly; but the magistrates attempted to arrest Hunt and other speakers; and, having sent some forty Yeomen into the crowd on this mission, they thought it necessary to extricate them by a charge of Hussars.

[2] Buckingham's *Memoirs of the Regency*, ii. 372. "In Scotland, where parochial assessments do not exist to an extent to operate even as a palliative in such an emergency, the distress was greater than in any part of England."—Richmond's *Narrative*, p. 182.

out for more; but great numbers could not find employment even on such terms; and in June, 1819, the Radical agitators again took the field. Their oratory provoked no disturbance for more than three months; but the bloodshed at Manchester, and the "high commendation" bestowed on its authors by the Regent, kindled a flame of wrath in both England and Scotland. A meeting was held at Glasgow on August 26—preceding one of greater note at Westminster—to protest against this outrage, which was "declared to have no parallel except the massacre at Glencoe"; and the resentment expressed on this occasion soon exceeded the bounds of intemperate speech.

On Saturday, September 11, a moor in the neighbourhood of Paisley was the scene of a great Radical demonstration, to which workpeople had made their way in procession with music and banners from all the surrounding district. Manchester supplied the principal theme of discourse and one at least of the speakers; but the return of the demonstrators would probably have been as orderly as their coming if the provost, as they were marching through the market-place, had not seized one of their banners, the use of which had, it seems, been prohibited by the sheriff. This caused a riot which continued at intervals from Saturday night till Monday afternoon; and, though no further outbreak occurred, the workers remained idle and the Riot Act was read nightly for about a week. The magistrates had both cavalry and infantry at their disposal; but no lives were lost, and the damage was confined mainly to windows and lamps. On the Monday night there was a sympathetic riot at Glasgow, where the cry was raised, "Help Paisley!" Captain Brown, the chief constable of Edinburgh, two of whose officers

had insinuated themselves into a Radical committee, reported that the disturbances in both towns were "the entire work of a gang of resolute blackguards," and that the Reformers, far from approving such violence, regarded it as most injurious to their cause.[1]

The Reformers were not, however, discouraged. They continued to hold meetings, and five counties—Lanark, Renfrew, Dumbarton, Stirling and Ayr—were soon enveloped in an organisation which comprised Unions of a dozen or twenty persons, District Committees to which the Unions sent representatives, and a Central Committee which met weekly in Glasgow.[2] In the room used by each of the Unions there was a supply of newspapers. Wooler's *Black Dwarf*, an English journal, which the Government in 1817 had greatly assisted by an abortive prosecution, circulated widely in the district; pamphlets of a seditious and irreligious kind had also a large sale, 17,000 copies having been supplied by the publisher to one agent; and in October a new Radical organ, *The Spirit of the Union*, was established in Glasgow. On November 9 the military commander in Scotland called attention to "the disciplined order and increasing strength" which characterised the demonstrations; and the Earl of Glasgow, writing on the same day to Lord Sidmouth, said that the Manchester affair was alleged by the Reformers as an excuse for arming, that bludgeons and even

[1] *Scottish MSS.* P.R.O. xxx. xxxi.; *Scots Magazine*, N.S. v. 274-276, 356. Dundee seems to have been strangely quiescent at this crisis; but Kinloch of Kinloch, a wealthy Perthshire landowner, was indicted and outlawed for a speech which he made there as chairman of a Reform meeting. A similar meeting in the King's Park, Edinburgh, is said to have been thinly attended.

[2] Declaration of "A. B.," March 7, 1820, in *Scottish MSS*, P.R.O. xxxii. The system is said to have been introduced by some of the Irish in Glasgow who had taken part in the Rebellion.—Richmond's *Narrative*, pp 77, 183.

pistols had been observed at a recent meeting, and that before and after this assemblage movements had been "executed in the streets of the town by several thousand persons with military precision, silence and order." The extreme publicity of these manoeuvres might, one would think, have exempted them from suspicion; but, as in 1816, there were those among the Radicals who contemplated an appeal to force, and, unlike their predecessors, they were acting in concert with their comrades in the north of England. Early in December the authorities had convinced themselves that a simultaneous rising was about to take place in Clydesdale and Lancashire; and, leaving Edinburgh to the custody of its resuscitated Volunteers,[1] they despatched westwards all the regular troops. The concentration of a large military force at Glasgow was believed to have prevented an insurrection which had been fixed for the 13th; and Parliament, before it dispersed for Christmas, endeavoured to crush the whole movement by a series of repressive measures—aimed chiefly at unauthorised arming and drilling and seditious meetings and literature—which are commonly known as the Six Acts.[2]

[1] The First Royal Edinburgh Volunteers, whose commander, Charles Hope, was now Lord President of the Court of Session, mounted guard in the Castle. Other corps were raised, if not embodied. "Edinburgh," says Cockburn, "was as quiet as the grave, or even as Peebles"; but he himself on the last night of the year was one of "at least 400 or 500 grown gentlemen" who kept watch under arms in the Assembly Rooms, George Street. "Frivolity, though much provoked, and a good deal indulged in in corners, was reproved as unbecoming the crisis."—*Memorials*, p. 315. As we shall see at the close of this chapter, it was quite in accordance with the tendency of events in Europe that the Volunteers should have been raised primarily to put down sedition (see p. 118), that they should have developed into a national and patriotic force, and that they should now have been revived in their original form of police.

[2] *Scottish MSS.* P.R.O. xxxi. xxxii.; *Scots Magazine*, N.S. v. 569; vi. 179.

A section of the Whigs, headed by Lord Grenville, supported these enactments, just as the Portland Whigs in 1793 had supported Pitt's proclamation against seditious writings; and the necessity for such legislation may well have seemed to be established when Thistlewood, who had been a leader in the Spafields riot, and a number of his associates, were surprised, and nine of them captured, on the eve of an attempt to murder the whole Ministry at a Cabinet dinner. The Radical committees throughout the country knew much less of this conspiracy than the Government, which was kept fully informed by its spies; but Thistlewood had warned them in general terms that a decisive blow was to be struck in London, the news of which would reach them in ten days, and that they should then be in readiness to rise.[1] The effect of the Six Acts, one of which made it illegal for anyone but an inhabitant of the town or parish to attend a meeting of over fifty persons,[2] was to increase the number and activity of secret societies; and on February 22, 1820, the day before that of the attempted assassination, a committee of twenty-seven delegates, which had met to consider proposals from England for joint action, was arrested in Glasgow.[3] The movement, however, continued. On March 9 Sidmouth informed George IV. "that the committees had met more frequently of late in several parts of the kingdom and that it was evident they were in close communication"; and on the 21st he wrote to the Duke of Wellington that "a simultaneous explo-

[1] Richmond's *Narrative*, p. 184.

[2] Glasgow, Paisley and Kilmarnock were the chief strongholds of Radicalism; and meetings in other places were organised, and even largely attended, from these centres. Lord Cassilis refers to "the travelling mob from Kilmarnock."—Buckingham's *Regency*, ii. 376.

[3] Lord Provost to Sidmouth, February 23.

sion" was to be expected shortly in the regions of Glasgow, Manchester and Leeds.[1] It was only in the first of these districts that the prediction thus indicated was fulfilled, though at Huddersfield on the 31st a rising was all but attempted, and a search for arms resulted in the discovery of "a large quantity of pikes and pike-staves."[2]

Early in the morning of Sunday, April 2, an "Address to the Inhabitants of Great Britain and Ireland" was placarded all over Glasgow and Paisley and in the towns and principal villages for a dozen miles around. Issued in name of a body calling itself "The Committee of Organisation for forming a Provisional Government," it called upon all persons, and especially the soldiers, to co-operate with those who had been impelled by the extremity of their sufferings and the contempt heaped upon their petitions to take arms; required the workers to desist from labour and "attend totally to the recovery of their rights"; and, whilst declaring "inviolable all public and private property," intimated that whoever opposed them in this enterprise should be treated as "traitors to their country and enemies to their King." "Liberty or Death is our motto, and we have sworn to return home in triumph or return no more."[3] This audacious manifesto, confirming to the utmost the rumours and suspicions which had been current for six months, created a veritable panic, which was naturally intensified when its authors were

[1] Pellew's *Life of Lord Sidmouth*, iii. 325.

[2] *Scots Magazine*, N.S. vi. 280, 376. The pike was the accredited instrument of Reform; but the ingenuity of Glasgow had devised a small leaden missile, pointed and feathered, which could be thrown forty yards, and was known as a "Radical cleg," *i.e.* gnat.—Lord Provost to Sidmouth, March 31, 1820.

[3] *Trials for High Treason in Scotland in* 1820, i. 46.

found in at least one respect not to have over-estimated their power. The extremists, who were hatching rebellion and were not deterred even by the infamy of Thistlewood's plot, had not captured Radicalism without having to combat a tendency to disruption in its ranks. For this purpose intimidation had been freely employed, and the appeal now made to the workers met with an almost unanimous response. On the Monday morning the handloom weavers throughout the whole district struck work. Most of the mills opened as usual, but "threatening visits" were paid to them, and after the breakfast-hour, when few of the operatives ventured to return, they were almost all closed.[1]

Glasgow, looking in all directions for its "Provisional Government," spent an idle but an exciting week. The banks, the public offices, and even the churches were guarded by soldiers or volunteers; artillery commanded the bridges over the river; barracks built for 1200 officers and men were made to accommodate 3000; in one hotel were the Lord Provost and Magistrates, in another the Lord Advocate and the Commander-in-Chief. Workmen were everywhere—most of them moving idly about, but some in procession, "keeping step and walking in regular rows"; and after nightfall, when the shops were shut and all peaceable citizens were required to be indoors, knots of men, armed with muskets and pikes, collected and dispersed in a manner which afforded ample occupation to the troops. It was supposed that the disaffected were waiting till a delegate whom they had sent to Manchester should return with the news that a rising had taken place there on Sunday; but Lord Advocate

[1] *Glasgow Herald*, quoted in *Annual Register*, Pt. i., Chronicle, p. 97.

Sir William Rae was of opinion that the whole affair would "end in nothing," having been planned by the Radical leaders as a mere exhibition of their strength; and he blamed the military authorities for being unduly susceptible to false alarms—so susceptible indeed that on three such occasions they had sent as far as Stirlingshire for aid.[1] In the country districts, however, where the law could not be relied on for protection, the danger was by no means unreal; and the isolated farmer or landowner was liable to be roused at midnight by men who, if they did not pillage his house, at least ransacked it for arms.[2]

Monday and Tuesday brought no relief to the harassed city. The next day was so phenomenally wet, even for Glasgow, that it was to be remembered as "the Radical wet Wednesday"; but the loafers and demonstrators were still as numerous as ever; and now at last the army of the Provisional Government did take the field. Early in the morning some forty or fifty armed men had set out on a mission which was apparently that of raising reinforcements amongst the ironworkers of Falkirk and Carron; and at Bonnymuir, within a few miles of Falkirk, they encountered a detachment of Hussars and Yeomanry, who had ridden out to intercept them from Kilsyth. The officer in command did his

[1] Rae to Sidmouth, April 3, 1820. On December 17 of the previous year Scott had written to his son Walter: "There is a spirit of consternation implied in many of the orders which, *entre nous*, I like worse than what I see or know of the circumstances which infer real danger.... The fearful thing is the secret and steady silence observed by the Radicals in all they do."—Lockhart's *Scott*, iii. 344.

[2] *Scots Magazine*, N.S. vi. 376; *Trials for Treason*, i. 130, 150; Mackenzie's *Reminiscences of Glasgow*, *passim*; and Tait's *Edinburgh Magazine*, iii. 198. One of the Radicals was shot dead in an attempt to break into the bleachfield premises at Foxbar, near Paisley.—*Scotsman*, April 18, 1820.

utmost to prevent bloodshed; but the Radicals refused to surrender, and, after a sharp skirmish, nineteen of them were taken prisoners. At Glasgow on the same night the Radicals of Bridgeton and Tradeston attempted a muster, but only 260 men could be assembled, and eleven of their leaders were arrested.[1] There was no further disturbance, and on Friday it was reported that most of the operatives had returned to work.

The skirmish at Bonnymuir, and some minor occurrences which involved no actual fighting, were construed legally, despite the exertions of Jeffrey, as an attempt in furtherance of the revolutionary manifesto; and of twenty-four persons convicted of treason, two were executed at Stirling and one at Glasgow. But an incident of the "Radical War" which resulted in greater loss of life occurred at Greenock on the following Saturday. Eighty men of the Port-Glasgow Armed Association—a force which had been raised in many towns and "was meant to be something more military than constables and less military than soldiers"[2]—were returning from Paisley, where they had been assisting to keep the peace, and with them were five prisoners whom they had orders to lodge in Greenock gaol. This they accomplished; but their entry into the town on so unpopular a mission with fifes playing and drums beating had exasperated the people, who fiercely assailed their retreat and suffered so much in consequence that six at least of the rioters were shot dead or mortally wounded. The magistrates were compelled to release the prisoners.[3]

The manifesto which called Radicalism to arms contained an appeal to the troops in which they were

[1] *Scotsman*, April 8. [2] Cockburn's *Memorials*, p. 314.
[3] *Scottish MSS.* P.R.O.; *Scots Magazine*, N.S. vi. 376.

exhorted to turn their eyes towards Spain, "and there behold the yoke of hated despotism broke by the unanimous wish of the people and the soldiers"; and these words may remind us that we have been studying in only one of its manifestations a movement which was general throughout Western Europe. In the last phase of the great war, when the French were fighting to retain their conquests, and nationality, not monarchy, was the issue at stake, the Allied Governments had thrown themselves on the patriotic enthusiasm of their subjects; and it was hoped, and for a time it seemed probable, that the peoples, whose uprising had shattered the Napoleonic Empire, would be admitted to political life. In 1814 Castlereagh, who was to eclipse even Sidmouth as the apostle of repression, found it "impossible not to perceive a great moral change coming on in Europe, and that the principles of freedom are in full operation";[1] and in almost every State except Austria, where absolutism had a sleepless guardian in Metternich, the intention to establish constitutional government was expressly avowed. No country owed more than Prussia to the warlike exertions of its people; but Frederick William, a few months after he had promised to inaugurate a parliamentary system, bestowed a mark of commendation on the writer of a pamphlet which was intended to prove that the nation was not indebted for its revival to the popular spirit; a demonstration of students at Eisenach,[2] in the course of which this publication was burned, increased his alarm;

[1] Fyffe's *Modern Europe*, edition 1891, i. 543.

[2] The *Scotsman* of November 22, 1817, has a long report of this "festival" and a laudatory article. "The universities of that country are not—as they are almost everywhere else—the strongholds of ignorance and slavery."

and in 1819 the Princes and Ministers of Germany were engaged, under the superintendence of Metternich, in framing regulations for the Universities and the Press not unlike the Six Acts which were passed in the same year by the British Parliament. In Southern Europe, indeed, the constitutional cause was upheld by a discontented soldiery; but it was only the intervention of Canning that saved its triumph from being as short-lived in Portugal as it was in Spain and Naples.

One, if not the principal, reason for the failure of liberalism on the Continent was that in no State, with the partial exception of France, was there a class sufficiently experienced and organised to interpose between the aristocracy and the people as the exponent of moderate reform. In Great Britain there was such a class; but the distress of 1816 had given rise to an agitation amongst the masses for extreme political rights; and, now that Radicalism had been defeated, the way was cleared for a more orderly movement on the part of the Whigs, which was to culminate, a dozen years later, in the Reform Bill.

CHAPTER IV

PROGRESS OF THE WHIGS, 1820-1827

It was evident as the outcome of the struggle which has just been reviewed that, if Parliament was to be reformed by anything short of a revolution, the masses must postpone their enfranchisement to that of the middle class; and it will be well to consider what prospect there was of an alliance on this basis between the Radicals and the Whigs. At first sight such a contingency may seem remote. The Whigs held that the function of a legislature was to represent the classes and interests, not the individuals, of which a nation is composed; and, though few of them denied that Parliament as then constituted was in need of reform, they admired the diversity of its elements, and sought only by an alteration in their balance to make it a more faithful embodiment of the national life. Horner described himself as "a good deal of a reformer"; but he maintained that the House of Commons, even in its worst days, had never been long out of sympathy with the people, and declared that he saw "a great deal of practical benefit result, even to the interests of liberty and popular rights, from the most rotten parts of the constituent body."[1] Criticising the doctrine of universal suffrage

[1] *Memoirs*, i. 462.

as expounded in Bentham's *Catechism*, a writer in the *Edinburgh Review* of 1818 put the case thus: "The question between us and Mr. Bentham is whether all interests will be best protected where the representatives are chosen by all men or where they are elected by considerable portions only of all classes of men." Political inequality was thus assumed as the basis of moderate reform; and the extremists, who deemed this a fatal objection, insisted that opponents of the Government should aim at nothing but the attainment of a democratic franchise, and that "victories gained for the people without reform are even to be lamented as diminishing the criminality of an unreformed Parliament and the necessity for a change." The Whigs had no ear for such counsel; and, whilst their rivals in the country were devoting themselves to a thoroughly hopeless mission, they were emphasising in Parliament the privations of the poor, urging that men driven desperate by hunger deserved rather to be conciliated than repressed, and exposing such legislative injustice as was involved in the corn laws, the game laws, and the criminal code.

Such a policy could not fail in the long run to meet with its reward; and its success is the more intelligible when we remember that the Whigs and the Radicals were by no means so sharply divided as the incompatibility of their principles would lead us to expect. Hunt and Cobbett were indefatigable in their efforts to traduce and discredit "the regular Opposition"; but Cartwright, despite his enthusiasm for universal suffrage, was anxious for a "union with the Radicals of the better men among the Whigs," and during his visit to Scotland in 1815 we find him the guest of the Duke of Roxburgh at Floors

Castle.[1] On the other hand, Jeffrey had long been of opinion that the Whigs were too aristocratic in temper, and he would have had them "join with the people, assist them to ask with dignity and with order all that ought to be granted and endeavour to withhold them from asking more." [2]

That a movement in this direction was in progress may be gathered from the history of the press. The *Dundee Advertiser* was founded as a Radical paper in 1801 and drew largely for its material on Cobbett's *Political Register*; but from 1811 to 1825, when it was edited by Rintoul—who subsequently settled in London and originated the *Spectator*—it was supported by the leading Edinburgh Whigs.[3] Further north, the Radicals had an equally zealous and more faithful friend in the *Aberdeen Chronicle*, which made its appearance in 1806; but the working classes, whose opinions it expressed, could do little for the support of a sixpenny paper; and in 1822 it was purchased by the moderate reformers and replaced by the *Aberdeen Herald*.[4] It was easier for the Whigs thus to capture or silence the artillery of the democratic brigade than to gain its goodwill; but on January 25, 1817, a journal was

[1] *Life of Cartwright*, ii. 115, 138. Romilly and Brougham were both intimate with Bentham, who, however, made little impression on either.—Roylance Kent's *The English Radicals, an Historical Sketch*, pp. 246, 247. The author of this interesting work holds that Radicalism was essentially a middle class movement, and that the popular character it assumed in times of distress was "a transient phase which passed away as prosperity returned." But it was just this expansibility of Radicalism that made it formidable; and, but for its influence with the masses during the French Revolution and after the Peace, it would have little interest for the historian.

[2] Cockburn's *Jeffrey*, i. 197.

[3] Millar's *The Dundee Advertiser*, pp. 9, 14, 16.

[4] Grant's *Newspaper Press*, iii. 527.

established at Edinburgh, the avowed object of which was to bring all the forces of liberalism into line. The *Scotsman* was far from encouraging the Radical agitation, which in its opinion served only to strengthen and exasperate the enemies of reform; but it maintained that in nine cases out of ten the demand for universal suffrage was a mere protest of the poor against the indifference shown to their sufferings by the rich, and that the Radicals would never cease from troubling till better relations had been established between the upper and lower classes:—"They may be silenced and put down for a little; but the honest feelings of human nature and the sympathies of many who do not now approve of their doctrines will ensure them a more splendid resurrection. Such has been, and such always will be, the result of attempts to crush opinions by force."[1]

The movement we are reviewing had made considerable progress before the summer of 1819; but the "Manchester Massacre" on August 16 did more than anything that had yet occurred in the history of Radicalism to win for it the sympathy of the Whigs. The magistrates on that occasion may have erred rather than sinned; but their conduct was officially approved and praised at a time when it was known to the public only in its deplorable result; and the meetings which voiced indignation or the demand for inquiry were not confined, as at Glasgow and Paisley, to the humblest class. Earl Fitzwilliam, for the part he had taken in calling and attending one of these assemblies, was dismissed from his lieutenancy of the West Riding of Yorkshire; Lords Grosvenor and Albemarle identified themselves with the popular cause; and the Duke of

[1] *Scotsman*, 1819, p. 353. See also pp. 267, 309.

Hamilton, who had exerted himself to assist the destitution in Lanarkshire, sent a hundred pounds for the relief of the Manchester victims, accompanied by a letter which was fiercely assailed in the Tory press, but which, in the words of an apologist, had probably detached 20,000 from the number of "those who would represent rank and wealth as united in a conspiracy against the people."[1] The next twelve months were marked by a succession of events, all calculated to enhance the reputation of the Whigs—the Six Acts, which they strenuously opposed; the Manchester trials, which went far to justify their opinion of Hunt as "a shameless impostor"; the collapse of their rivals, the extreme reformers, in the so-called Radical War; and, above all, the trial of Queen Caroline, which stirred the nation to its depths, disgusted the more judicious Tories, and combined against the Government all the forces by which it had been severally assailed. Brougham, who conducted the Queen's defence, was the most popular man in the kingdom. Burgess-tickets, encased in gold, poured in upon him from admiring corporations; "a splendid candelabra" represented the penny subscription of peasants and artisans; his bust was sold in the streets; and his features were depicted with more or less success on the signboards of public-houses and inns.[2]

A week or two after the proceedings against the Queen had collapsed, the Edinburgh Whigs proposed to hold a public meeting for the purpose of petitioning the King to dismiss his Ministers; and, though the political and municipal authorities endeavoured to thwart their purpose, some 3000 persons — all that could gain

[1] *Scotsman*, 1819, p. 383.

[2] Campbell's *Lord Chancellors*, viii. 324.

admission, and mostly of the middle class—assembled in the Circus, which was then termed the Pantheon, on December 16, 1820. Jeffrey, who was the principal speaker, followed the lead of the *Scotsman* in emphasising the cleavage between the upper and lower ranks as "the great radical evil which now threatens this country" —a cleavage which was due to the determination of Ministers and their followers to recognise nothing that stood between them and the revolutionists :—" It is to fill up this chasm, to occupy a middle ground, and to show how large a proportion of the people are attached to the constitution, while they lament its abuses, that such meetings as this should be assembled." Perhaps, however, the most significant speech was that of Andrew Scott, who spoke as one of the people, and exhorted his fellow-citizens to rally round the Whigs as the only party that could " unite the scattered elements of public opinion into one body capable of acting with any effect." In the same building, twenty-five years earlier, Henry Erskine had delivered the speech against the Sedition and Treason Bills for which he was deposed from his headship of the Bar ; and this was the first meeting in the interest of the Opposition which had since been held. The petition against the Ministry was signed in four days by about 16,000 persons, whilst the Tories, who had got up a counter-petition, were unable in a fortnight to muster more than 1800 ; and they suffered a more galling reverse in Glasgow, where a meeting convened under their auspices in the Town Hall was converted by the public into " an immense assemblage," mainly of Whigs, and the Lord Provost, rather than preside over such a meeting, " fled." [1]

[1] *Scotsman*, 1820, pp. 409-413, 421 ; Nicolson's *Memoirs of Adam Black*, p. 65. The students of Glasgow University had elected Jeffrey as their Lord

An approaching anniversary was utilised by the victors in this contest to celebrate their triumph. It had long been usual for a few of the more zealous Whigs to dine together on Fox's birthday; but they had met privately under a cloud of suspicion, and at one time sheriff-officers had frequently been stationed at the door to take down their names. Now, however, the cause which they had supported in adversity seemed to be nearing its goal; and on January 12, 1821, in the Waterloo Hotel, 475 gentlemen assembled to honour the memory of Fox. The Earl of Rosslyn presided; the Dukes of Hamilton, Argyll and Roxburgh—the second of whom sent an apology for absence—and Earl Fitzwilliam were toasted; and amongst the speakers were not only Jeffrey and his comrades from the Parliament House, but men of a class which had not ventured hitherto to assert itself in political life, such as "booksellers and haberdashers." Three English members of Parliament were present, and one of them was Lambton, the future Earl of Durham and the son-in-law of Earl Grey, known among the miners of his constituency as "Radical Jack," and the principal link between the Whig aristocracy and their democratic allies.[1] Anxious to furnish a counter-blast to this outburst of Liberal oratory, the Tories did violence to the calendar by dining the same evening in honour of Pitt; and their newspapers and magazines commented with bitter emphasis on what one of them described as "Mr. Jeffrey's plan for the regeneration of the

Chancellor, and he was installed ten days after the Pantheon meeting. This was the first election for merit since that of Adam Smith in 1787, and to Jeffrey's friends, in view of its political significance, "it sounded like the intimation of a miracle."—Cockburn's *Jeffrey*, i. 263.

[1] Stuart Reid's *Life of the First Earl of Durham*, i. 143-145.

Radicals by their passage through the purgatory of Whiggism."[1]

In order to complete our survey of the causes which were operating at this period against the Government and in favour of the Opposition, we have now to review a movement which had been in progress for several years in almost all the royal or parliamentary burghs. It was probably a relic of the popular constitution which had existed before 1469 in these burghs that, if the council at the Michaelmas term failed to choose successors to those of its members who retired by rotation, or if the election then made was found to be invalid, the right of election reverted to the burgesses at large, who, however, could not assemble without a warrant from the Crown.[2] In 1815 the town-council of Montrose elected its new members by ballot; and this innovation, when repeated in the following year, was brought before the Court of Session, which declared the ballot illegal and the election void.[3] Lord Advocate Maconochie considered that he had no alternative but to issue a poll-warrant;[4] but the burgesses, whose electoral rights

[1] *Beacon*, p. 20. The Fox Dinner is fully reported in a Supplement to the *Scotsman* of January 13, 1821. According to this not unbiassed account, the wine was "scarcely thought of" at this banquet, whereas its effects were only too visible among the Pittites, and the 17th toast on their list was not likely to appear in any journal.

[2] *Edinburgh Review*, September, 1818.

[3] *Scots Magazine*, June, 1817.

[4] Lord Advocate to Sidmouth, November 2, 1817. As Maconochie in this long letter did not think it necessary to mention that he had complied with the petition of the burgesses for a poll-warrant, one may assume that he regarded its issue as a matter of course. But on April 1, 1819, in a speech which occupies 46 columns of Hansard, he laboured to show that the burgesses had no claim to such a warrant either from their original constitution or from the practice of the Crown. The report of the Commons' Committee of 1793 quite disposes of his contention that the burgesses had not the right of election before 1469.

had been unexpectedly revived, desired to reconstitute their council in a more popular form; and Maconochie, finding that Dundas, when the charter of Stirling was renewed in 1781, had made a similar concession, decided to accede to their demand. The burgesses in the first year were to elect all the nineteen councillors, and the ten annual vacancies were to be submitted permanently to their vote. It was only with the greatest reluctance, and after waiting in vain for some sign of dissension to show itself in the burgh, that Maconochie in October, 1817, gave his sanction to this reform; and the effect produced throughout Scotland more than justified his fears. At least two other burghs—Dundee and Paisley—had been moving in the same direction as Montrose; and the discovery that a flaw in the technicalities of its election might disfranchise a self-elective corporation and enable the burgesses to recover their original right was all that was needed to revive the agitation for reform which had been suspended at the outbreak of the French war in 1793.[1] At a meeting of the Merchant Company of Edinburgh on November 17 a motion was carried by a majority of two to one approving the exertions now being made "to introduce into the burghs a more rational and liberal system" and extolling the new charter of Montrose "as reflecting the highest honour on the Lord Advocate and the Privy Council"; and, six months later, it was computed that thirty out of the sixty-six royal burghs had voted resolutions in favour of reform, and that the population of these burghs outnumbered that of the remainder in the ratio of four to one.[2]

[1] See *The Awakening of Scotland*, p. 109.

[2] *Scots Magazine*, December, 1817, and April, 1818; *Scotsman*, 1817, pp. 293, 301; Nicolson's *Memoirs of Adam Black*, pp. 59, 60.

Maconochie's colleagues were as little disposed as himself to welcome these results of his concession, and the "man who could not draw an indictment"[1] was now blamed for a "mistake" which showed him to be a better lawyer than a politician. Several of the burghs attempted to unseat their councils, and two of them—Aberdeen and Inverness—succeeded; but the Government had resolved, even at the risk of violating the principles of feudal law, not to grant another poll-warrant;[2] and, supported by only five precedents, all of which had occurred in the quite exceptional circumstances of 1716 and 1746, they resuscitated the last council duly elected for the purpose of electing its successor.

No more cynical defiance of public opinion can be imagined than that such a course should have been adopted in the case of Aberdeen. Lord Archibald Hamilton[3] did not exaggerate when he said that this corporation "had been dissolved by no power on earth but by its own rottenness." A public meeting of the inhabitants in 1799 had sanctioned a scheme for the extension of the city which was to involve an expenditure of £37,000; but from 1800 to 1810 the magistrates

[1] See p. 150.

[2] "In all the 30 cases from the Union to 1817 there has been only one case where an election by poll-warrant has been refused on the petition of the burgesses; and that was the case of Perth in 1716, which had been considered irregular by all the judges"—one judge, indeed, pronounced it illegal—"and as an exception it proved strongly the general rule and right of the burgesses."—Speech of Joseph Hume in Hansard, April 1, 1819. In the other four Jacobite cases the burgesses did not claim their right, doubtless because the function of the council had been suspended only by the presence of the rebels. In the *Scotsman* of September 5, 1818, there is a list of the warrants.

[3] Brother of the Duke of Hamilton, and the most prominent of the Scottish Whig members.

and council borrowed for this purpose no less than £100,000; and in the latter year, when the amount of their indebtedness was known only to themselves, they obtained an Act of Parliament empowering them to raise a loan of £140,000—the interest on which was to be defrayed by doubling the shore dues—for improving the harbour and for the construction of docks. Seven years later, all but £13,000 of this sum had been spent and the additional dues were being levied; but there were no docks—indeed, a private company had been prevented from making one, and the harbour had been deepened only at the cost of making it more difficult of approach. Carelessness, secrecy, and even fraud, had all contributed to this result. The city chamberlain informed a committee of the House of Commons in 1819 that he "neither received any books of the cash transactions of Aberdeen from his predecessor nor ever saw any."[1] In the annual statement of 1810, when the debt was at least £140,000, it was returned as £6,874; in subsequent years it was simply omitted; and the minutes were afterwards found to be so unreliable that loans were entered which had never been mentioned at the meetings or were said to be sanctioned by persons who had not been present. The revenue of the burgh soon proved quite inadequate to meet the interest on its debt. In February, 1817, the corporation declared itself insolvent, and the charitable institutions, which were the principal creditors, appointed trustees to administer its affairs. At the election of the following autumn only six of the nineteen persons chosen—four less than a quorum—could be induced to accept office; and the

[1] The Town Council of Edinburgh was still as innocent of book-keeping as it had been in the eighteenth century. Cf. Hansard, N.S. vi. 530 and *The Awakening of Scotland*, p. 105.

retiring councillors put on record their conviction that the self-elective system was "radically defective and improvident," and that the present evils must continue so long as it remained unaltered. This election was annulled on technical grounds by the Court of Session, and the burgesses applied for the usual poll-warrant; but their petition was refused; the old council and the system it had condemned were re-established; and Aberdeen was thus thrust back into the hands of men who, in the words of the *Scotsman*, "have plunged it into the gulf of bankruptcy, and who have dissipated every farthing's worth of the public property belonging to the burgh." [1]

One of the burghs had, as we have seen, been more fortunate in its experience of the royal prerogative; but, if a municipal constitution could in this way be altered for the better, it might also—were such a feat conceivable—be altered for the worse; and Lord Archibald Hamilton insisted that Montrose ought to have been reformed, not by an ordinance of the Regent in Council, but by an Act of Parliament. In April, 1819, he moved for the appointment of a committee to investigate the bankruptcy of Aberdeen; and his exposure of this affair, in which he was ably seconded by Joseph Hume, member for the Aberdeen group of burghs, was so nearly successful that the motion was defeated

[1] *Report of the Commons' Committee on the Royal Burghs*, 1819, pp. 26, 277; Hansard, April 1, 1819, and February 20, 1822; *Scots Magazine*, 1817, i. 236. A council, if unanimous, could elect and conduct itself in any way it pleased, for it had been found that nobody but one of its own members was entitled to complain; and the courts aggravated the effect of this decision by ruling that a usage which had been in force for forty years must be recognised as valid. The only real check on the irresponsibility of the town councils was that in taxation they required to obtain "the consent of all the subordinate corporations," *i.e.* the Guilds and Trades.—*Edinburgh Review*, xxx. 512.

by only five votes. A month later, he moved that the petitions which had been accumulating for a year and a half should be referred to a select committee; and on this occasion, when he was able to show that "in nearly half of the royal burghs in number and more than half in population" the councils themselves had expressed their desire to be reformed, it was the Government, and not the Opposition, that found itself in a minority of five. Maconochie had endeavoured to propitiate the reformers by offering them facilities—which they thought inadequate and delusive—for detecting and punishing a misapplication of funds; and his successor, Sir William Rae, whilst proposing and carrying the same remedy, sought to nullify their triumph by altering the composition of the Committee when it was re-appointed in 1820 and 1821. The Committee of 1819 had produced a full and impartial report, which, however, was confined to four burghs—Edinburgh, Aberdeen, Dundee and Dunfermline; the Committee of 1820, which comprised several placemen and a larger infusion of Tories, showed less vigour; and the Committee of 1821 proved to be incomparably the most timid of the three. Such was the spirit of its proceedings that three of the most zealous reformers—Hume, Kennedy and Sir Ronald Fergusson—discontinued their attendance. When the chairman, Lord Archibald Hamilton, was called away for a fortnight to Scotland, it took advantage of his absence to prepare its report; and this document, which was practically the Lord Advocate's own work, affirmed that the grievances complained of by the petitioners could all be remedied by giving them some financial control, and repudiated any suggestion of organic change as a violation of the Union—an argument which Ministers had themselves refuted in the case of Montrose.

A proposal next year to re-appoint the Committee was lost by a majority of thirty-five in a thin House, and for eleven years longer the "theatres of self-election" were permitted to play their sordid comedy undisturbed. But the Government had now identified itself with evils, the enormity of which it had been unable to conceal; and "no single folly," says Lord Cockburn, "ever opened so many Scottish eyes."[1]

We have seen something of the periodical press in so far as it was associated with the progress of the Whigs; and we are now to consider the efforts that were being made in this province—and never with such energy as now—to withstand their advance. The *Edinburgh Review* has always been more of a literary than a political organ; its partisanship at the outset was not very pronounced; and for five or six years it included amongst its occasional contributors so undoubted a Tory as Scott; but subscribers who dissented from its politics had soon to complain, not only of "deepening Whiggery," but of an attitude towards the struggle with Napoleon which can be described only as one of blank despair;[2] and both these

[1] Hansard, vols. xxxvii., xxxix., and xl.; New Series, vi.; *Reports*, 1819, 1820, 1821; Cockburn, p. 279. As the royal burghs were all political constituencies, the real objection to any change in the municipal franchise was, of course, that it would involve parliamentary reform. Lord A. Hamilton maintained that the two questions were quite distinct; but their connexion was admitted and gloried in by Hume, who indeed was himself an illustration of its truth, his election in place of a Tory having coincided with the emancipation of Montrose.

[2] In December, 1808, Jeffrey wrote to Horner that he expected Napoleon would be in "Dublin in about fifteen months; perhaps sooner." In January, 1811, he had made up his mind that the French would conquer the whole of the Continent, and doubted whether England would be "worth keeping by the present generation at the expense of all the bloodshed and treachery and guilt and misery which the struggle would produce." —Cockburn's *Jeffrey*, i. 194.

grievances were aggravated in October, 1808, when an article appeared—which was ascribed to Brougham, but was written by Jeffrey—on the French occupation of Spain. Jeffrey, as might have been anticipated, predicted that the Spaniards who had risen against the usurper would speedily be overwhelmed; but he pointed out that it was "the bulk—the mass of the people—nay, the very odious, many-headed beast, the multitude—the mob itself" that had achieved this temporary success, and that Englishmen of all ranks and parties who were now applauding its efforts had committed themselves to the cause of radical reform in Spain. "We can once more utter the words *liberty* and *people* without starting at the echo of our own voices." Scott, whose *Marmion* had been somewhat severely criticised in the previous April, was no longer a contributor to the *Review*. He now withdrew his name from the list of subscribers; and we are told that the Earl of Buchan[1] opened the door of his house in George Street, placed the obnoxious number on the floor, and solemnly kicked it into the street. The method of reprisal which suggested itself to Scott was to establish a rival organ of equal independence and literary merit, which "should speak a political language more familiar to the British ear than that of subjugation to France"; and in February, 1809, under the patronage of Canning and Lord Advocate Colquhoun, the *Quarterly Review* was founded, not in Edinburgh, where, according to Scott, not one in twenty of Jeffrey's readers was a Whig, but in London. Its first article was an attempt to prove than the Spanish rising was neither revolutionary nor unlikely to succeed.[2]

[1] See *The Awakening of Scotland*, pp. 70-73.

[2] Lockhart's *Scott*, i. 500, 502, ii. 40-53; Cockburn's *Jeffrey*, i. 189-192.

A circulation now confined more exclusively than hitherto to its own political school may have induced the *Edinburgh* to give a looser rein to its party zeal; and, about a year later, in a review of Lord Erskine's speeches it so fiercely assailed the memory of Pitt that it could discover "no epithet too harsh for him who was profligate enough to thirst for the blood of his former associates in reform." But the rivalry of the two "quarterlies" was conducted on the whole in a dignified and even temperate spirit; and it was not till the Whigs had alarmed and exasperated their opponents by drawing closer to the Radicals that journals of a more popular kind took up the quarrel. The *Scotsman*, which made it a principal object to further this alliance, was founded, as we have seen, in 1817; and, four years later, the Edinburgh Tories set up a paper called the *Beacon*. No one who has looked through the early files of the *Scotsman* will have much difficulty in agreeing with the orator at a Fox dinner who affirmed that it "discussed all matters, public and private, as a gentleman would wish to see them discussed"; [1] but the *Beacon* was of a different opinion, and expressed it in terms which only a questionable or very irate gentleman could have been tempted to use. As depicted in these columns, the *Scotsman* was "an addle-pated scribbler," equally ignorant of grammar and of political science; "a coarse and raucous libeller"; a "vile plebeian"; a "reptile" which it would not be safe to leave unmolested, "even in the hopeless depth of his dulness and infamy"; his friends were "blackguard friends," his readers a "dunghill tribe"; and he was

[1] *Blackwood's Magazine*, xii. 343. The orator was apparently James Abercromby, son of General Sir Ralph, and member for Calne, who was elected Speaker in 1835 and was subsequently created Earl of Dunfermline.

described in the same paragraph as fit to have been "one of the hell-hounds who acted the prominent part in the French Revolution," and as the "tame, creeping, crawling *protégé* of the Whigs."[1]

The *Beacon* may have been entitled thus to employ a vocabulary even more highly spiced than that which the author of *Pickwick* has placed at the disposal of Mr. Pott; but it soon descended from general vituperation to particular and personal abuse. Determined to get at the real author of the attacks from which he had repeatedly suffered, James Gibson, afterwards Sir James Gibson-Craig, wrote to Lord Advocate Rae and asked him whether he had not an interest in the paper; and Rae, whilst denying all share in the ownership, admitted that he was one of fifteen persons who were parties to a bond which made them liable for the debts of the *Beacon* to the amount of £100 each. Amongst the "bondsmen" were the Solicitor-General, two of the three Advocates-Depute, Sir Walter Scott, and the Lord Provost of Edinburgh. This exposure of what was naturally regarded as "an organised system of defamation" laid open its authors to claims for satisfaction and damages which they did not venture to face. Rae withdrew his name in July, 1821, and was soon followed by his associates. The *Beacon* continued to burn as fuliginously as ever till September 15, when it suddenly expired, leaving Edinburgh to what it had pleasantly called "the worse than Cimmerian darkness of the *Scotsman*."[2]

But the lamp of Toryism, though Edinburgh had now to dispense with its illumination, was still burning

[1] *Beacon*, p. 244 and *passim*.

[2] Hansard, N.S. vii. 1324-1373; Cockburn's *Memorials*, pp. 327-330; Lockhart's *Scott*, iii. 526.

in the west, where similar methods had been employed to keep it alight. In November of the previous year the Lord Advocate had been anxious to counteract the influence in this quarter of "publications which have a tendency to unhinge the principles of all classes and to render the middling and lower classes discontented and unhappy"; and he and several other persons "from the experience already had of the *Clydesdale Journal*," which was published at Hamilton and was then in a bad way, had recommended it to the support of their friends. The recommendation took the form of a circular which was sent to 200 persons, with a request that it should be returned as soon as read; and one of those who signed it had protested only a month before against the "personalities" in which this paper indulged. These were directed mainly against the members and friends of the Hamilton family, and were written, as was subsequently admitted, by Aiton, Sheriff-Substitute of Lanarkshire, who might easily have been called upon to determine their character at law. The *Clydesdale Journal* did not revive even under the Lord Advocate's furtive smile and was soon discontinued—only to re-appear, however, as the *Glasgow Sentinel*.

Eager to emulate the fighting reputation of the *Beacon*, which had just collapsed, the *Sentinel* took up its feuds. Stuart of Dunearn, one of the *Beacon's* victims, had laboured in vain to identify his accuser, and, after horse-whipping the printer in Parliament Square, had refused him what in the language of the day was termed "the satisfaction of a gentleman." He was denounced in the *Sentinel* as "a poltroon and a coward," for whom the very oyster-women of Edinburgh were constrained to blush. Stuart brought an

action against the publishers, Alexander and Borthwick, but withdrew it on the offer of the latter to show him in manuscript the libels of which he complained; and he then discovered that these had been written by his kinsman, Sir Alexander Boswell of Auchinleck, son of Dr. Johnson's biographer. A duel ensued on March 22, 1822, and resulted, two days later, in the death of Boswell.[1] When Borthwick made the offer which led to this encounter, he had agreed to relinquish his share in the business for £100; but this sum had not been paid, and his right, in default of payment, to resume possession had been recognised by a decree of the Glasgow Burgh Court.[2] Nevertheless he was arrested by the Lord Advocate on a charge "of stealing papers from the *Sentinel* office," and on one pretext or another was detained in prison for over two months. There can be little doubt that the object of this proceeding was to prejudice the surviving duellist by bringing him under the suspicion of theft. Stuart was tried for murder and acquitted on June 10, and Borthwick was at once released. A few days later, Abercromby moved in the Commons that the relation of the Crown Counsel in Scotland to the press, and the proceedings they had taken against Borthwick, should be referred to a Committee, and the motion was defeated by a majority of twenty-five. On June 3 of the following year, when he moved that the conduct of the Lord Advocate in Borthwick's case had been "unjust and oppressive," the majority fell to six. Meanwhile the *Sentinel* had gone the same road as the *Beacon*, and the latter as represented by its printer had been found

[1] There was another duel in which a Mr. Scott, the libelled, not the libeller, was killed.—Hansard, N.S. vii. 1347, 1358.

[2] *Proceedings against William Murray Borthwick*, p. 5.

liable in damages and costs to Lord Archibald Hamilton and Gibson.[1]

The Tories had little reason to congratulate themselves on the results of this newspaper war. "On the whole," says Lord Cockburn, "what with thrashing and shooting, and Parliamentary exposure, and damages, and expenses, and detection, and disgrace, I don't believe that they found libelling a good trade."[2] There were, however, elements in the national consciousness to which Toryism specially appealed, and these were to be tested, if not stimulated, by the novel experience of a royal visit. On July 18, 1822, it was announced that George IV. was about to embark for Edinburgh; and, in view of the feeling which the Queen's trial had aroused, and the party contest at law and arms which had just terminated in the acquittal of Stuart, royalty might easily have made its appearance at a more favourable time. It is said to have been largely on the solicitation of Sir Walter Scott, who held the first place in his countrymen's affection and esteem, that the king ventured on this "very doubtful experiment"; and, if the pageantry of the visit—in which, however, the Highland element was greatly overdone[3]—owed much of its success to Scott's skill as "stage-manager," it is probable that the cordiality, if not the enthusiasm,

[1] Hansard, N.S. vii. 1324-1373; ix. 664-690; Cockburn's *Memorials*, pp. 327-330, 338-347; *Letters on Affairs of Scotland*, pp. 50-58; and various pamphlets. The damages in Lord A. Hamilton's case were nominal, but this is said to have been due to a mistake on the part of the presiding judge.

[2] *Memorials*, p. 345.

[3] So says Lockhart, and his remark is equally applicable to much that passes current as Scottish history. Lockhart refers to the Highlanders as "a small and almost always an unimportant part of the Scottish population."—*Life of Scott*, iv. 33.

which characterised the King's reception was inspired in great measure by the novelist's "personal influence, authority and zeal."[1]

The visit must, however, have disappointed those—if there were any such—who imagined that it would allay the animosities of Tories and Whigs. Both parties were thoroughly loyal; but the Whigs saw only "the Chief Magistrate of a free state," whilst the Tories, amidst all the dazzling splendour of his office, beheld the man and the father "whom it was pleasant to love." This, in their opinion, was "the greatest public event that has for centuries immediately concerned Scotland"—greater consequently than the Revolution Settlement or the Union. Hitherto courtiers only in scenes of their own imagination, they now discovered that they "had not done even justice to the living man"; and the smile of royalty which revealed to those of humble rank what they had scarcely ventured to believe—that they had some value in "the estimation of their monarch," was supposed to have ennobled them for life. It was no doubt as a rebuke to this ecstasy of personal devotion that the Duke of Hamilton, one of the proudest of men, at the banquet given to the king by the City of Edinburgh on August 24, made a somewhat remarkable speech—a speech in which he declared that, whilst showing all respect and honour to the person who occupied the throne of these realms, "he must not forget the respect due to himself" and the rights he had to maintain for the people. On the same day the *Scotsman*, which had hitherto restrained its indignation out of compliment to the King, declared that it "knew nothing so fulsome, so disgusting to the monarch of taste, so degrading to a people of spirit,

[1] Lockhart's *Scott*, iv. 32.

as the cant and scum of loyalty"; and *Blackwood's Edinburgh Magazine* replied to "this wretched ruffian" in an article, even more scurrilous than clever, which was entitled "The Sorrows of the Stot."

Blackwood had been established in the same year as the newspaper which it thus abused; and we shall do no injustice to its political allusions if we consider that their effect, if not their purpose, was to keep open the chasm between the upper and lower classes which the *Scotsman* was endeavouring to close. A very violent article, intended to prove that "the charge of corruption in the popular heart is fully made out," appeared in January, 1821. Next month *Blackwood* admonished its readers—probably much to their surprise—that "nothing can be more ill-judged and impolitic than that tone of bitterness and rancour which it has become too much the fashion to use in speaking of the lower classes"; but there is no evidence of this chastened spirit in the number for September, 1822, which is devoted exclusively to the royal visit. The tragedy at Manchester is described as a republican riot in which certain persons "had their toes trampled upon"; "the Stot" is called an idiot for supposing that "our shopkeepers" could presume to hold—not to express—the same sentiments as "a powerful nobleman"; and two "gentlemen of the press," the representatives of the *Times* and the *Morning Chronicle*, are taunted with their exclusion, except as spectators, from the civic banquet. In the opinion of *Blackwood*, liberal opinions might be held in all sincerity in the wynds and closes of Old Edinburgh, but were to be dismissed as hypocritical when they "encroach upon the polished pavements of the New Town." A young and struggling advocate, so long as he was briefless, might be a Whig

or even a Radical; but "that men in the vision of hearth-rugs and pier-glasses, with pure air to inhale and productive parchment on their tables, should feel honest in their rabble-politics is altogether out of the question."[1]

If the advocates of reform were necessarily the aggressors in this party strife, its opponents took all the fighting that was offered, and sought with considerable ingenuity to find occasion for more. An instance of their combativeness occurred in 1821, when Kennedy of Dunure, one of the few Scottish Whig members, brought in a Bill to assimilate the criminal to the civil jury by providing that, instead of being selected by the judge, it should be chosen by ballot, and that a right of peremptory challenge, that is, of objecting to a juryman on grounds of mere prejudice or favour, should be allowed to both accuser and accused. This proposal was in accordance with the English law of treason which had been extended to Scotland after the Union; but as an innovation, and one which might benefit the prisoner on a charge of sedition, it was obnoxious to the conservative and repressive instincts of Sir William Rae. The Lord Advocate had informed a meeting of Midlothian freeholders in 1816 that they could not discuss political or even semi-political questions without endangering "the harmony and peace of the district";[2] but law was a less inflammatory, if also a less appropriate, topic; and, in response to a circular in which Rae supplied them with arguments against the Bill, almost all the county and many of the burgh constituencies petitioned against it. Kennedy was not

[1] *Blackwood*, viii. 445, 491; xii. 276, 341, 342.

[2] *Thoughts on the Proposed New Police Bill by an Old Citizen*, 1816, p. 27.

discouraged by the rejection of his measure; and he succeeded in inducing the Government, first to accept the peremptory challenge, and then on their own initiative to introduce the ballot. The latter of these measures was carried by the second Lord Melville in 1825.[1]

The question of the criminal jury had been raised, but was as far as ever from being settled, when a municipal controversy arose in which the political motives of the two parties were much more apparent. The City Guard of Edinburgh—a body of aged and infirm veterans popularly known as "The Toon Rottens" and still associated in tradition with the Porteous Riot—survived till 1817; but, twelve years earlier, Edinburgh had obtained its first Police Act; and, as seven of the thirty-two Commissioners entrusted with its administration were chosen by the citizens and two of these retired annually, it is said to have been the first example—though a very limited one—of a system of popular election which was subsequently extended to other towns. The establishment of 1805 was remodelled by Parliament in 1812 and 1817. The number of *ex officio* Commissioners was reduced to fourteen, whilst that of their elected colleagues was raised to twenty-six; but, by way of balancing this concession to a democratic spirit, the superintendent was invested with almost unlimited power, and the

[1] Cockburn's *Memorials*, p. 132, and *Letters*, *passim*; *Edinburgh Review*, xxxvi. 174; Omond's *Lord Advocates*, ii. 267. As an argument in favour of the Scottish criminal law, Rae stated in Parliament "that during a period in which 1409 capital sentences had been passed in England, there had been no more than 18 in Scotland—a difference which, allowing for the greater population of this country [England] amounted to the proportion of 18 and 235."—Hansard, N.S. vii. 1205. See also Campbell's *Brougham*, p. 239, note.

right of appointing and dismissing him was lodged, not in the Commissioners, but in the Lord Provost, the Lord President of the Court of Session and the Sheriff-Depute, who were called the "Functionaries." In 1819 a serious discrepancy was discovered between the estimates of the force and its actual cost. Six men existed only in the pay-lists; manure was being sold but not accounted for; and even the turbulence and the dirtiness of an unregenerate Edinburgh were insufficient to explain the enormous expenditure on batons and brooms. The cellar in which the brooms were kept could not, it was said, have contained a tenth of their alleged number, and in this item alone there was an overcharge in one year of £258. The result of these disclosures was that the Commissioners dismissed Murray, the clerk of police, but could not prevail upon the Functionaries to dismiss Captain Brown, the superintendent, whom they accused of complicity in the frauds; and they then resolved to solicit such an amendment of the Act as should place the superintendent under their control. For a time they were at one in this purpose; but, after about a year, the *ex officio* Commissioners, who were all members of the Town Council, seceded from the majority and prepared a Bill of their own.[1]

The authors of this scheme had discovered a distinction, which they thought of great importance, "between the executive and economical branches of police." A policeman, in so far as he wielded a baton, was an officer of the King, whose peace he maintained, and was, therefore, to be left under the protection of "the three Tutelary Deities"; but, in so far as he plied a broom or trimmed a lamp, he was a servant of the citizens, who, though they paid for him in both capacities,

[1] *Scotsman*, January 19, 1822; Cockburn's *Memorials*, p. 336.

were to control him only in the latter, and were to do so in the ratio of their contributions to his cost. This was said to be the constitutional doctrine, and those who did not accept it were described as little better than republicans.[1] Under the Act of 1817 householders who paid no more than £5 of rent were liable to the police assessment, but only those who paid not less than £10 had the right of voting for the Commissioner who represented their ward—a distinction which disqualified 3130 taxpayers, or over a fourth of the whole. The "constitutional" Commissioners desired to raise the qualification to £15 and in the richer wards to £25; and, not content with adding some 2000 to the number of non-voters, they proposed, further, to group the wards in such a way that, whilst two or even three might have only one Commissioner between them, another, which had a larger rateable value, might have two Commissioners to itself. The Whigs and the general public who had called for the dismissal of Captain Brown, and the Tories who had befriended him, were now divided by more than a personal or even a municipal issue; and, when the question was raised in Parliament, after being discussed in several pamphlets, Lord Melville yielded to Abercromby as, three years later, on the jury question, he was to yield to Kennedy. It was agreed that the Police Commissioners should have the right to appoint and to dismiss the superintendent; the franchise was left unaltered, and Captain Brown retired.[2]

[1] *Hints on the Principles of a Constitutional Police*, pp. 16, 23 and *passim*.

[2] Cockburn's *Letter to the Inhabitants of Edinburgh on the New Police Bill*, *passim*, and *Memorials*, p. 338. It appears that women householders had the police franchise.—*Hints on the Principles of a Constitutional Police*, p. 70, note.

A result less favourable to the Whigs was to be anticipated when the two parties met as avowed opponents at Westminster, but assaults which their opponents had once treated with contempt were now with difficulty repelled. On June 2, 1823, Lord Archibald Hamilton moved that the House of Commons should consider the propriety of some reform in the Scottish county franchise, and in the course of his speech he made some interesting disclosures as to the manner in which county elections were conducted in Scotland. He showed that the issue of these contests depended mainly on which side could, within the year and a day required for such a process, bring to maturity the largest number of votes; that the sheriff who fixed the date of an election could thus in many cases determine its result; that lawyers were frequently employed to protract an election till votes should be "ripened"; and that in one case they had undertaken to talk till a message was sent to and from Edinburgh, and had done so, though the distance was sixty miles. In view of the last election for Lanarkshire, Lord Archibald had purchased as many qualifications as he could, and, with the sanction of his law agents, had advertised for persons to hold them, or, in other words, for persons hardy enough to swear that they were genuine; the sheriff had fixed the election for a day when twenty of his opponent's votes would just be ready for use, and about as many of his own would still be immature; and, though returned in spite of this disappointment, he had had to fight, and had won, a second battle as defendant in twenty-five law-suits. The favourite reply to this speech was that the Scottish county franchise—in common with almost every other abuse—was stereotyped at the Union; but the most

extraordinary argument—though soon to be familiar—was that of an English member who maintained that the British representative system must be considered as a whole, and that, as Irishmen had too ample a franchise, Scotsmen, as a means of redressing the balance, ought to be content with little or none. The motion was of course defeated; but there was loud cheering from the Opposition benches when the majority was announced as thirty-five.[1]

Lord Archibald had made it plain that the Scottish county franchise was indefensible even on the principles of Toryism. Anti-Reformers claimed for representation in England that, however imperfect, it recognised the two great elements of property and population, embracing the whole landed class, and in certain towns, such as Preston and Westminster, not a few of the people; but in Scotland it ignored both these interests, excluding all landowners who were not "superiors"[2] and all townsmen who were not councillors. Edinburgh was the only burgh which was separately represented, all the others being grouped; and, on the assumption that there were electoral anomalies which even the party in power could not logically defend, the citizens had commissioned Abercromby to bring their case, and their case only, to the notice of the Commons. The Pantheon, which, more than two years earlier, had been the scene of a great demonstration, was again crowded on March 8, 1823, when resolutions to this effect were adopted.[3] These were moved by Andrew

[1] Hansard, N.S. ix. 611-644. The Lord Advocate must have known that he was talking nonsense when he said—if he is correctly reported—that every heritor had a vote (p. 641).

[2] On the county franchise, see *The Awakening of Scotland*, pp. 17, 99.

[3] *Scotsman*, 1823, p. 161.

Scott, who on the previous occasion had introduced himself as one of the people; and the petition in which they were embodied set forth that Edinburgh, with 105,000 inhabitants and "a greater number of landed proprietors and gentlemen of independent fortune" than any English town except London, had only thirty-three electors, members of a self-elected corporation, who constituted the three-thousandth part of the population, and the property owned or occupied by whom was the one hundred and fiftieth part of the whole. Parliament, with these facts before it, was invited to take measures for extending the franchise; and, though the character of the population was "such as might admit of the greatest extension of the right of election with the least possible hazard of popular tumult or disorder," the mode of giving effect to this request was left entirely to its discretion.[1]

The petition was signed by 6847 persons. In order to exclude those whom Anti-Reformers were accustomed to call "the rabble," it had been restricted to householders who paid the police assessment. These numbered 10,168; but not more than 7626 would have been qualified in respect of age and sex to take part in a parliamentary election; and the petitioners were thus only 779 fewer than the whole number which on this basis would have been entitled to vote.[2] Such a result went far to justify the statement of a speaker at the meeting that the cause of reform was "now adopted by all except the few who are interested in the support of corruption." Abercromby presented the petition on May 5, 1823, and on February 26 of the following year

[1] *An Explanation of the Present State of the Case respecting the Representation of Edinburgh.*

[2] *Ibid.* p. 10.

he moved for leave to bring in a Bill to amend the representation of Edinburgh. The two members who opposed the motion would have done well to confine themselves to insisting that it could not be dissociated from the general question of parliamentary reform; but, whilst one of them admitted that the Scottish burgh franchise would be intolerable were it not seasoned with one of a more popular character in England, they both maintained that it could not be altered without a violation of the Union—an argument which Lord John Russell characterised as "so complete an absurdity that he could not believe it ever entered any heads but such as were sometimes to be found in that House." The motion was rejected by 99 votes to 75. Two years later, on the strength of a petition signed by 7242 householders, Abercromby renewed his attempt; and on this occasion, when forty-five more members were present, the majority against him was twenty-five.[1]

Sir Walter Scott was far from wishing to see "Scotland completely liberalised"; but in March, 1826, a week or two after this important division, he wrote thus to a friend: "The whole burgher class of Scotland are gradually preparing for radical reform—I mean the middling and respectable classes; and when a burgh reform comes, which perhaps cannot long be delayed,

[1] Hansard, N.S. x. 455, xv. 173; *Edinburgh Review*, lii. 222. In the debate of 1826 Rae said that, though Edinburgh had only thirty-three electors, "still these thirty-three were chosen by a very numerous body." As we have found him capable of saying that every heritor in the counties had a vote, this need not surprise us. The state of the matter was this. Nineteen of the council were chosen by their predecessors. The other fourteen were deacons of the fourteen incorporated trades, comprising in all less than 700 members. Each of the trades submitted six names to the Council, which struck out three; and the trade had to choose one of the remainder as its deacon.—Cockburn's *Considerations submitted to the Householders of Edinburgh on the State of their Representation*, p. 12.

ministers will not return a member for Scotland from the towns."[1] It is almost equally significant that the Fox birthday dinner—a festival which had originated in the early struggles of Whiggism—was discontinued after 1825.[2] But the spirit of the age, which was thus animating and uniting the friends of progress, was also present as a disintegrating force in the midst of its foes.

The Tories, to a man, had set their faces against parliamentary reform; but, in regard to Catholic disabilities, commercial restrictions and the struggle for freedom and nationality abroad, some of them had adopted opinions which differed little from those of the Whigs; and in the spring of 1827, when the illness of Lord Liverpool had deprived a disunited party of its conciliatory, if not neutral, head, Canning, the most liberal member of the Cabinet and incomparably its greatest statesman, was called to the vacant place. Canning had been the friend of Queen Caroline and, though opposed to the Nonconformist claims, was an advocate of Catholic emancipation. He regretted —as also did Lord Liverpool—the Corn Law of 1815; and since 1823, when he succeeded the Marquis of Londonderry, better known as Lord Castlereagh, at the Foreign Office, he had steadily discountenanced those pretensions of the Great Powers to act as the patrons of despotism in Southern Europe, against which even his much-abused predecessor had had the wisdom to protest. The speech of 1826, in which he announced that the Government, even at the cost of allying itself with revolutionists, meant to uphold the Portuguese constitution, was reprinted at Edinburgh; and the *Scotsman*,[3] whilst lamenting the outbreak of

[1] Lockhart's *Scott*, iv. 179. [2] Cockburn's *Memorials*, p. 367.

[3] December 16, 1826.

a new war, confessed to "something like a sentiment of exultation" that it was to be waged in so good a cause as that of "freedom and popular rights." Six Cabinet Ministers, representing the straiter sect of Toryism, refused to serve under Canning; but a majority of the Whigs, headed by Lord Lansdowne and bitterly opposed by Lord Grey, rallied to his side, and several of them were soon admitted to office. Amongst the resignations was that of Lord Melville who since 1812 had been First Lord of the Admiralty. Canning proposed to replace him as "Minister for Scotland"—an office in which he had gained the respect of his opponents[1]—by Lord Binning; but Cockburn, who abhorred the idea of "a native jobbing Scot," induced Kennedy to remonstrate against the continuance of this informal post; and Lansdowne, who had previously been in the Cabinet without office, when he became Home Secretary in July, undertook the management of Scottish business, with Kennedy and Abercromby as his chief advisers.[2] These and other arrangements had scarcely been completed when Canning died on August 8. An attempt was made to continue the Ministry, but Lord Goderich, to whom this duty was assigned, proved unequal to the task. In January, 1828, his place was taken by the Duke of Wellington; and, Ultra-Toryism having thus recovered its ascendency, the Canningite Whigs retired, and were followed, six months later, by the Canningite Tories. Melville returned to office with the Duke.

[1] "We have no pique at Lord Melville as an individual. His Lordship has made a temperate use of his Scotch patronage and has sometimes, we believe, restrained and corrected the violence of his local partisans."—*Scotsman*, 1827, p. 241.

[2] Cockburn's *Letters*, pp. 154, 159; *Memorials*, p. 387.

The tenure of power obtained by the Whigs under Canning and Goderich, though even shorter and more partial than that which they had enjoyed under Lord Grenville, was, nevertheless, the presage of a triumph which could not be long delayed. It was an axiom of the Ministerial press that this party owed all its importance to the democratic agitation which it protected and encouraged;[1] but the collapse of violent methods in 1820 had facilitated the preaching of a saner gospel, and at the period we have reached Radicalism had emerged in so attenuated a form from its "passage through the purgatory of Whiggism"[2] that as a popular force it had almost ceased to exist. Burdett, its chief representative in Parliament, and Lambton, the most extreme of Whigs, were both supporters of Canning. In 1826 there had been acute distress—so acute that the weavers of Lanarkshire declared that "at one fell swoop their wages were reduced one half";[3] but the excesses it provoked were confined mainly to the breaking of machinery; and, if the Whigs had thus succeeded in supplanting or silencing the political demagogue, it could not be said that they had borrowed his ideas. They were as much opposed as ever to the ballot, to annual Parliaments and to universal suffrage; and, far from complying with those who had insisted that they should devote themselves exclusively to parliamentary reform, they had united with Canning on the express understanding that this question should not be raised. But, in conforming themselves to Jeffrey's ideal of a mediating force between "two desperate extremes," they had cut almost as far into Toryism on the one side as into Radicalism

[1] See, for example, *Quarterly Review*, xxviii. 217.

[2] See p. 170.

[3] *Scottish MSS.*, P.R.O., xl.

on the other. Amongst the grounds on which the Pantheon meeting of 1820 had condemned Lord Liverpool's Government were "attachment to illiberal notions of commerce" and a foreign policy "inconsistent with the best principles of national liberty." In both respects, under Huskisson, the pioneer of free trade, and under Canning, a great improvement had taken place; and the Whigs could not fail to claim some credit for this change when they saw Huskisson and his friends extruded from the Wellington Ministry and taking refuge in their own ranks.

CHAPTER V

THE REFORM BILLS, 1827-1834

Scottish Toryism was too debilitated a force to recover readily from the effects of the schism which has just been described. Lord Melville had succeeded to its leadership at a time when the instinct for progress could no longer be wholly withstood; and there was a growing disposition in the party to contrast him unfavourably with his father. We have seen that he had disappointed his followers by yielding to the Whigs on the question of the Edinburgh Police and of the criminal jury; and his reputation with the public at large was lessened in 1826 by his support of the Bill which, had it passed in its entirety, would have deprived Scotland of its one pound notes. Lauderdale seems to have been the only Scotsman at Westminster who decidedly opposed this measure, which had originated in a commercial crisis and was to be applicable to the United Kingdom; but petitions against the inclusion of Scotland soon began to pour in;[1] and Sir Walter Scott helped to defeat this part of the scheme by publishing three letters under the pseudonym of "Malachi Malagrowther," in which he attacked it, with patriotic

[1] *Scotsman*, 1826, pp. 113, 117, 133.

irrelevance, as a breach of the Union. Lord Melville was highly incensed at "the inflammatory tendency" of these letters; for Scott had declared that for the last fifteen or twenty years he had seen the national interests of Scotland falling "daily into more absolute contempt," and had ironically suggested that the Treaty of Union should be searched for, and, "if found to be still existing," should be preserved in the "Museum of the Antiquaries." Sir Robert Dundas of Beechwood[1] received from Melville, who was his wife's cousin, a huge epistle in reply to this attack, which he was to show to Scott; and Scott, in a rejoinder which was to be shown to Melville, must have aggravated his offence by insisting that "Scotland is fast falling under other management and into other hands than Lord Melville's father would have permitted." The father, had he lived to contend with Malagrowther, would assuredly have been astonished to hear that certain members of the Edinburgh Town Council were conspiring to unseat his nephew, William Dundas, as member for the city, in favour of Lord Provost Trotter. Such, however, was the news conveyed to Melville in this summer of 1826; and the Provost—who was an upholsterer—had entertained "the modest proposal"; for, when Sir Robert Dundas called upon him to demand an explanation, "he came into the room shaking and trembling and clearly ashamed of himself."[2]

[1] A Writer to the Signet and factor to the families of Arniston and Melville. He purchased from Lord Melville the estate of Dunira. "It was said that his Dundas clients all held sinecure offices and that he was "Depute" for them all."—Omond's *Arniston Memoirs*, p. xxxi.

[2] Omond's *Arniston Memoirs*, pp. 315-329; Lockhart's *Scott*, iv. 441 and *passim*. Lockhart rather exaggerates the effect of Scott's "diatribes." A good many meetings of protest had been held or arranged before the first of his letters appeared on February 21.

The system which Lord Melville had administered for more than twenty years was thus showing signs of decay when it collapsed with his resignation and the disruption of his party in 1827. His functions as Scottish manager were, as we have seen, annexed by the Home Office ; and most of his associates disappointed him by transferring their allegiance to Canning. Amongst these were not only Lord Advocate Rae and Solicitor-General Hope, but his two Scottish colleagues at the Admiralty, Sir George Clerk of Penicuik, member for Midlothian, and Keith Douglas, member for the Dumfries Burghs ; Charles Grant, the most eminent of the Scottish Tories, who represented Inverness-shire, became President of the Board of Trade, of which he had been Vice-President in the Liverpool administration ; and Lord Binning, an English member, accepted from Canning the peerage which anticipated his succession to the earldom of Haddington. Clerk had offered to resign if Melville " wished it or would advise him to do so "—a responsibility which the latter disdained to accept. Rae, who never had much practice at the Bar, appears to have continued in office merely because he could not afford to resign ; but Hope had aspired to supplant his old patron as manager under the nominal supremacy of Binning, and Cockburn considered him " the only important Scotch card in the old pack." [1] Lady Melville was thinking mainly of Hope, Clerk and Keith Douglas when she referred to " the dirty conduct of those whom her husband had been instrumental in bringing into office in and from the north " ; and her son, Henry Dundas, did not conceal his opinion of " that crocodile Hope." [2]

[1] *Letters on Affairs of Scotland*, pp. 154, 157, 179.

[2] Omond's *Arniston Memoirs*, pp. 337, 341, 347, and *Lord Advocates*, ii. 256. The Solicitor-General was a son of Lord President Hope.

Though the period occupied by the Ministries of Canning and Goderich was considerably less than a year, it had sufficed to weld together the two elements —Liberal-Tory and Whig—of which they were composed; and, when Wellington and his friends returned to power in January, 1828, they looked with much suspicion on colleagues whom they regarded as apostates, and as now little better than Whigs. It was with difficulty, and with no discouragement from Lord Melville, that Dundas of Arniston could be dissuaded from opposing Sir George Clerk in Midlothian, when an appointment to office necessitated the vacating of his seat; and Lady Melville incited her nephew to this step, though "they say there is a general amnesty for *Rats*." Other causes combined to aggravate the effect of these dissensions. Lord Melville soon returned to his headship of the Admiralty;[1] but his acceptance for several months of an inferior position in the Cabinet[2] was a blow to his reputation in Scotland, where it was naturally desired that he should be "as near the top as possible"; and lesser members of his family, beholding their star again in the ascendant, were not disposed to emulate the self-effacement of their chief.

The worst offender in this respect was Melville's

[1] The office of First Lord of the Admiralty was then in abeyance, or rather its functions had been assigned by Canning to the Duke of Clarence as Lord High Admiral. Sir George Clerk was one of his Council. When the Duke attempted to assume actual command, he was compelled to resign in August, 1828, and Melville was re-appointed First Lord.

[2] President of the Board of Control. Prof. Hume Brown and Dr. Meikle are mistaken in thinking that this was not a Cabinet office. Lady Melville said that her husband "felt that it was very unfit to be bargaining for a thousand a year or a little piece of precedence."—*Arniston Memoirs*, p. 336.

cousin, William Dundas, whose seat for Edinburgh had been coveted by the Lord Provost. One of several sinecures held by this gentleman was that of Keeper of the Signet, and, the office of Deputy-Keeper being then vacant, he had intended to bestow it on a son of his kinsman, Lord President Hope; but, as James Hope was a very young man—so young, indeed, that he had not yet been admitted to the Society of Writers, he thought it more prudent to issue a joint-commission in favour of Richard Mackenzie, the Society's Treasurer, and of Hope, who was to be Mackenzie's assistant and successor. A general meeting of the Society was held on January 19, 1828, for the purpose of receiving this commission, and Sir Robert Dundas moved that Mackenzie as Deputy-Keeper should take the chair; but James Gibson-Craig[1] characterised the appointment which had just been made as "little short of an insult"; and on his motion it was resolved by a large majority that the Society had a right to choose its own chairman, and that neither Mackenzie nor Hope should be recognised as such. At the next meeting it appeared that Mackenzie, without consulting or even informing his brethren, had obtained a decree from the Court of Session prohibiting them from electing another chairman till the question of precedency should be determined. Craig then moved that the Society should address the Crown and both Houses of Parliament to recall the commission granted to William Dundas as Keeper of the Signet. "If," he said, "we are so mean-spirited as to allow ourselves to be trampled in the dust by Mr. Dundas, God forbid that I should be longer a member of this Society." These words were loudly

[1] Formerly James Gibson (see p. 179), and subsequently Sir James Gibson-Craig.

applauded, and the motion was carried by 208 votes to 100.[1]

Whilst William Dundas was thus attempting to extend the influence of his family, his nephew, Robert of Arniston, who, when Canning became Premier, had been "dreadfully apprehensive of utter ruin," was aspiring to the Solicitor-Generalship and a seat in Parliament; but exultation in this quarter was to mount still higher when the Canningites retired. To quote *Blackwood*—"We have at last, thank God, got rid of the Liberals, and once more have the happiness to live under a pure Tory Government. Not a remnant, we rejoice to say, of that bastard political sect, that cunning, cowardly, compromising, conciliatory school, has been left to divide and weaken the measures of the Cabinet." These words were published in July, 1828; but it was easier to expel the followers of Canning than to exorcise his spirit; and, only eight months later, the same magazine was exhorting the country to overthrow this "pure Tory government," which had betrayed it to the Catholics, and to join the "holy banner" which Lord Eldon had unfurled in defence of its throne and altar.[2] The Catholic Relief Bill, which became law in April, 1829, completed the disruption of Toryism; and the ill-humour of that party in Scotland was much increased when the office of Chief Baron of the Exchequer was conferred in 1830, not on Sir William Rae, but—"to his amazement"—on James Abercromby. Hope, who, in the event of Rae's promotion, would

[1] *Scotsman*, 1828, pp. 46, 89; Cockburn's *Memorials*, p. 389. According to Cockburn, "a similar impatience of domination" was being evinced "in all meetings over the country."

[2] *Blackwood*, xxiv. 96, xxv. 287. In a subsequent number (xxviii. 721 Wellington is referred to as an "old withered pantaloon."

have succeeded him as Lord Advocate, had special reason to be indignant, and he wrote to Robert Dundas, then in London: "The cry against Lord Melville is louder and more general than any ever raised in my time as to any public and personal matter." [1]

The appointment of Abercromby was one of several advances made by Wellington to the Whigs; for, a few months later, Sir James Scarlett was made Attorney-General, and the Earl of Rosslyn, who had presided at the Fox Dinner of 1821, entered the Cabinet as Lord Privy Seal.[2] But the Whigs, though they approved of these appointments,[3] were almost as much dissatisfied with the Government's foreign policy as were the Tories with its surrender to the Catholics. Greece and Portugal, the two countries with which the name of Canning was honourably associated, had both contributed to lessen the reputation of his successor. Anxious to maintain the traditional alliance with Turkey, Wellington had sought unsuccessfully to restrict the area, and to qualify the independence, of the new Hellenic state; and, acting on the principle that Canning's support of the Portuguese constitution had been intended only to protect it from Spain, he had withdrawn the British troops from Lisbon at a time when, indeed, Spain had become neutral, but when absolutism had just been restored. More unfortunate, if less open to criticism, were his relations with France. The man who was called upon to form a Ministry at Paris in

[1] *Arniston Memoirs*, pp. 332, 338, 349; Cockburn, p. 403.

[2] Rosslyn in his old age became an Ultra-Tory. From the article in the *Dictionary of National Biography*, one would suppose he had never been anything else.

[3] Brougham's *Life*, ii. 511.

1829 was the French Ambassador to the British Court and his personal friend. Polignac hesitated to undertake the task required of him by Charles X. till he had received an assurance that the British Cabinet did not mean to resign; and, mistaken as was the belief that Wellington had encouraged this last effort of French despotism, it prevailed in both countries, and was only another proof that the advocates of repression throughout Europe regarded him as their natural ally. The "July Revolution" at Paris in the following year, and the concurrent revolt of Belgium against its Dutch sovereign, were hailed with enthusiasm by the Whigs and Radicals as the downfall of that anti-popular and anti-national system which had prevailed in Continental politics since the conclusion of the great war. On August 7, 1830, France received its citizen king in the person of Louis Philippe—a king "who walked about the streets of Paris with an umbrella under his arm and sent his sons to the public schools;"[1] and on November 18 the independence of Belgium was proclaimed. A General Election, due to the death of George IV., was held amidst the first excitement of the news from Paris, and the Government, assailed by both Whigs and Ultra-Tories, lost about fifty seats. Preston, the most popular constituency in England, put an end to Hunt's long exclusion from Parliament, and Sir Ronald Fergusson, late of the Kirkcaldy Burghs, was returned for Nottingham. Only in Scotland—"where men would enlist under Beelzebub's banners if he were First Lord of the Treasury"[2]—was there no diminution of Ministerial strength. On November 4 Wellington delivered his famous eulogium on the representative system as so good that it could not

[1] Fyffe's *Modern Europe*, ii. 379. [2] *Scotsman*, 1830, p. 729.

be improved; and on the 17th, having failed to carry his settlement of the Civil List, he resigned.[1]

Earl Grey, who succeeded Wellington as Prime Minister, had been identified for more than forty years with the cause of parliamentary reform. In 1793, when war and Jacobinism had estranged so many adherents of that cause, Charles Grey, as he then was, had presented to the Commons a petition in its favour from the Friends of the People; and now, when another revolution had taken place in France, so moderate and so little stained with bloodshed that its influence was on the whole stimulating, not repressive, he was naturally called to power. The Canningites, whom the death of Huskisson had recently deprived of their leader, joined him, and Palmerston, Melbourne, Goderich and Grant were all members of his Cabinet. Brougham, on his refusal to serve as Attorney-General, was made Lord Chancellor. The office of Scottish manager lapsed finally with the second retirement of Lord Melville; but Jeffrey and Cockburn, who had long been the leaders of Whiggism in Scotland, were appointed respectively Lord Advocate and Solicitor-General. Jeffrey had at one time thought the English Whigs, and especially Lord Grey, "too aristocratical"; and this opinion, if he still adhered to it, must have been strengthened by Grey's choice of colleagues. All but four members of the Cabinet belonged to the House of Lords, and of these four one was heir to an earldom and another was an Irish peer. The composition of the Ministry, its inclusion of the Canningites who had hitherto been opposed to reform, and the necessity

[1] On national, if not on political, grounds, the Wellington Cabinet had some claim to the allegiance of Scotland. It included, at one time or another, five Scotsmen—Lords Melville, Aberdeen, and Rosslyn, Sir George Murray of Ochtertyre, and Charles Grant.

imposed upon it of putting down a great outbreak of rick-burning and machine-breaking in the South of England caused a general expectation that it would not venture to deal summarily with the representative system; and the scheme which Lord John Russell expounded to an overcrowded and almost besieged House on March 1, 1831, was received by the Opposition with equal astonishment and dismay. There were to be separate Bills for England, Scotland and Ireland, but the English Bill would, of course, decide the fate of all three. Said a Scottish member in the following year: "When the English Bill was first introduced, it is reported to have deprived many members of this House of the power of utterance, to have made their hair stand on end, and to have made them give I know not what other signs of surprise and consternation."[1] Sixty boroughs with less than 2000 inhabitants[2] were to be disfranchised, and forty-six boroughs with less than 4000 inhabitants were each to be deprived of one member; London was to have eight additional members, and the counties were to have fifty-five; forty-four members were to be allotted to the unrepresented towns; and the qualification for a vote was to be uniform—in the boroughs an occupancy of £10, in the counties a £10 ownership of lands or houses or a leasehold of £50. Voters were to be registered; polling, which registration would facilitate, was to be restricted to two days; and all the existing electors, provided they were resident, were to retain their rights for life.

[1] *Mirror of Parliament*, 1832, iii. 2430.

[2] According to the census of 1821. The new census was on the point of being taken; but the Government considered that to wait for it would be to put a premium on false returns.

This scheme, which was the work of Lambton, now Earl of Durham and Lord Privy Seal, assisted by Russell, Lord Duncannon and Sir James Graham, fell far short of universal suffrage and did not even include the ballot, the adoption of which Lambton had originally secured; but it was none the less an approximation to the Radical ideal. We have seen that the Whigs preferred a representation of classes and interests to a representation of individuals;[1] and many of them, far from being enamoured[2] of a Bill which proceeded on broad lines of population and rateable value, had some sympathy with those who attacked it on the ground that the small boroughs were a necessary counterpoise to the democratic element, that they not only encouraged youthful talent[3] but were frequently an informal representation of India and the colonies, and that the nobles obtained in this way a protection of their fiscal interests which was denied to them in the House of Lords. "Cornwall and Scotland," wrote Sir Archibald Alison in *Blackwood*, "are the great fortresses of the aristocratic, London and the manufacturing districts of the democratic, factions. If the fortresses are to be dismantled on either, it should be on both sides."[4]

So much, indeed, was Scotland a fortress of the aristocracy that feudalism was still the basis of its

[1] See p. 164.

[2] "I have very little doubt that more than half the Cabinet in their hearts abhor the measure."—*Greville Memoirs*, ii. 132.

[3] The two Pitts, Fox, Burke, Canning, Huskisson, Horner, Brougham and Macaulay had all entered Parliament as members for "rotten boroughs."

[4] *Blackwood*, xxix. 440. See also, for a good analysis of the Anti-Reform case, Mr. Butler's *The Passing of the Great Reform Bill*, pp. 237-250.

political life, and the only persons represented were those who individually or collectively held charters from the Crown. In a previous instalment of this work[1] the county electorate is shown to have been determined by a qualification which prevented it from expanding with the diffusion of wealth. The number of voters in 1830—about half of whom were fictitious[2]—was ostensibly 3227; but, as many of them were enrolled in more than one county, the actual number was 2304.[3] In only a third of the counties did the genuine freeholders outnumber their lawyer-made counterfeits; and the equality of the two classes in the country as a whole was due mainly to the large preponderance of the former in Berwickshire and Fife.[4] The burgh electorate, 1440 in number, was of course the aggregate of town councillors, and these varied from thirty-nine in Inverkeithing to twelve in North Berwick and Wick. The only considerable towns which had no representation were Paisley, Greenock, Leith, Kilmarnock and Falkirk; but Glasgow was practically disfranchised by its position as one of a

[1] *The Awakening of Scotland*, p. 18.

[2] Cockburn paradoxically declared (*Edinburgh Review*, lii. 223) that the "paper votes" were the best in the country. They certainly were "the only ones" open to those who did not possess land, and recently it had become common to offer them for sale; but most of them had been created, and were still held, in the interest of great families. There were nomination counties in Scotland, such as Bute and Banff, just as in England there were nomination boroughs. The greatest county-mongers—to adapt an English expression—were in 1788 the Duke of Gordon, who had a total of 133 paper votes in four counties, and the Earl of Fife, who in three counties had 110. In Midlothian in 1788 there had been only 10 nominal freeholders out of 93. There were now 141 out of 172.

[3] *Letters on Affairs of Scotland*, p. 261.

[4] See the table of county voters in the *Scotsman*, May 18, 1831. From this year inclusive the *Scotsman* was published in folio and the enumeration of pages ceases. Its circulation was from 1650 to 1700 copies.

group. The population of Glasgow in 1821 was 147,043; and the total population of the three burghs conjoined with it—each of which elected a delegate to choose the common representative—was 10,218.

The Scottish Whigs were determined to submit to such anomalies no longer than they could help. As early as the autumn of 1830 a Political Union, modelled on that of Birmingham, was formed at Leslie in Fife. On November 17, the day before that on which the defeat of Wellington's Government was known in Edinburgh, a leading article appeared in the *Scotsman* under the heading "The Present is the Time for Reform," and petitions from eight of the burghs had already been presented to the House of Commons. Several weeks earlier, Kennedy had given notice of "a motion respecting Reform in Scotland," and it was only the announcement of the new Ministry that they proposed to bring forward "a general plan" which induced him to forego his purpose.[1] On December 8 a great meeting was held at Edinburgh for the enlightenment of William Dundas, who had said that his constituents had no desire for reform; and amongst the speakers was Andrew Scott, who had spoken at the two Pantheon meetings and who on this occasion paid a well-merited tribute to the late Lord Archibald Hamilton.[2] These were the first fruits of an agitation in which during the ensuing winter every town and many mere villages took part. The total number of petitions presented by the Scottish people from the eleventh of November, 1830, to the first of March, 1831, when the Government divulged the details of their scheme, appears to have been about two hundred. There was no demand for universal suffrage, and the petitions—about a fourth

[1] *Letters on Affairs of Scotland*, pp. 253, 258. [2] Died August 28, 1827.

of the whole—which expressed a desire for the ballot and for shorter parliaments were far less numerous than in England, and emanated mainly from Forfarshire and Fife.[1] These requests, as we have seen, were not conceded; but the Ministerial statement surprised even the most sanguine; and the *Scotsman*, which had been preparing its readers to the last for a much smaller concession, pronounced it "liberal and generous beyond expectation." The three Reform Bills—English, Scottish and Irish—were to be twice modified and reintroduced, and the proposals outlined by Lord Advocate Jeffrey on March 9 will be reviewed most conveniently in the form in which they became law. Here it may suffice to say that they swept away the whole system of feudal representation, established, as in England, a householder franchise, gave members to the principal towns, and raised the total number of electors from 4667 to more than 60,000.

Gratitude displayed itself in a fresh epidemic of meetings and petitions, and even the Anti-Reformers were not altogether dissatisfied with a measure which, as they believed, could not fail to excite alarm. On March 14 they mustered in an Edinburgh hotel. A private meeting, composed almost entirely of officials, ex-magistrates and freeholders, it had been privately, and even anonymously, convened; and, though the citizens were exhorted, "whatever may be their opinions upon reform," to testify against a proposal "so sudden and sweeping" and so "utterly unexpected by the nation at large," only about six hundred of them responded to the appeal, whilst a counter-petition received 31,000 signatures. The Society of Writers to the Signet resolved by 155 votes to 132 not to petition

[1] *Reports from Parliamentary Committees*, 1831, vol. iii.

in favour of the Bill; but few even of the county electors could be persuaded to petition against it.[1] In Berwickshire thirty-three persons met and resolved to adopt this course, and a meeting of nine persons in Morayshire appears to have been equally unanimous; but in Roxburghshire, despite the passionate appeal of Sir Walter Scott,[2] out of seventy persons who had assembled twenty-three voted for reform, in Dumbartonshire twenty-five out of sixty-one, in Banffshire four out of thirteen, and in East Lothian four out of twelve. On the other hand, at a meeting convened by the Anti-Reformers of Forfarshire, an amendment in favour of the Bill was carried by sixty votes to twenty-four.[3]

As public opinion waxed more and more enthusiastic in favour of reform, the prospects of the English Bill in the Commons, which had at first been regarded as hopeless, steadily improved; and on March 22, or rather at three o'clock on the following morning—"betting going on all night long" and both sides confident of success—it was read a second time, in much the fullest House on record, by a single vote.[4] The Ministry were not discouraged; but on April 19 Colonel Gascoyne succeeded in carrying an amendment that

[1] Scott recommended a rat-catcher who applied for employment at Abbotsford "to go to the head courts and meetings of freeholders where he would find rats in plenty."—*Lockhart*, v. 315.

[2] "Were he to lose his life upon the boards on which he then stood, he would with his last breath oppose the measure now before Parliament."—*Courant*, March 24.

[3] *Scotsman*, March 16, 19, 30, April 6; *Courant*, May 26; Hansard, 3rd series, iii. 318, 1359.

[4] Greville's *Memoirs*, ii. 132. "Such a scene as the division of last Tuesday," wrote Macaulay, "I never saw and never expect to see again. If I should live fifty years, the impression of it will be as fresh and sharp in my mind as if it had just taken place."—Trevelyan's *Macaulay*, i. 201.

the number of members for England and Wales should not be diminished ; and, three days later, they prevailed upon the King to dissolve Parliament. The result of an appeal to the country more than fulfilled their hopes ; and on July 8 a Bill almost identical with its predecessor, except that the number of boroughs which were to lose one member had been reduced from forty-six to forty, was carried into committee by a majority of 136. No expedient was, however, neglected by the Opposition to obstruct its progress ; and it was not till September 22 that it could be submitted to the Lords, who refused it a second reading by 199 votes to 158. Seven months of suspense and delay had not made it easier for the public to digest this rebuff. The demise of the Bill was announced to London in black-edged columns ; bells were tolled at Birmingham ; there were riots at Nottingham and Derby ; Bristol for three days was burned and pillaged by a ferocious mob ; and throughout the country men who had been discussing the question, " What will the Lords do ? " were now asking, " What is to be done with the Lords ? " [1] After a brief prorogation, the third Reform Bill for England was introduced on December 12. The membership of the House of Commons was now to be preserved intact ; and the Government proposed to reduce to thirty the number of semi-disfranchised boroughs, and to admit to representation a greater number of modern towns. On April 14, 1832, this Bill passed its second reading in the Lords by a majority of nine ; but the Anti-Reformers recovered their ascendency in committee, and Lord Grey resigned. Wellington attempted, but failed, to form a Ministry on the basis of moderate reform ; and on June 4, with Grey again in office and

[1] Miss Martineau's *History of the Peace*, ii. 45.

the King pledged to a creation of peers, the Bill passed the Lords and on the 7th received the royal assent.

In the struggle which had thus been protracted for more than fifteen months the Scottish members were less unevenly divided than their countrymen had ventured to expect. In the division of November 15, 1830, which led to the resignation of Wellington in favour of Grey, only seven of them, including the Canningites, Charles Grant and Keith Douglas, voted against the Government. On March 23, 1831, five of these seven voted for the second reading of the English Reform Bill—Keith Douglas voting against it and one member being absent. Nine others joined them, and the Bill was consequently supported by fourteen Scottish members, whilst twenty-seven opposed it. On April 19, when the House divided on Gascoyne's motion, the addition of two members—one previously an Anti-Reformer and the other previously an absentee—raised the Scottish vote for the Government to sixteen; and at the General Election in May the Whigs obtained a large access of strength. In the counties, indeed, there was little change, the Reformers winning Caithness,[1] Sutherland and Ross and losing Fife; but in the burghs they gained seven seats and lost only one.[2] Of the thirty county members thirteen, and of the fifteen burgh members eleven, were Whigs; and the country as a whole had thus declared for reform by twenty-four votes to twenty-one—a result which speaks

[1] Caithness and Bute were represented in alternate Parliaments. It was now the turn of Caithness and Sir William Rae, the member for Bute, was thus displaced.

[2] The Elgin Burghs, represented by the Anti-Reformer who had gone over to the Whigs on April 19. As Keith Douglas, member for the Dumfries Burghs, though returned as a Tory, supported the second Scottish Bill, the loss of this seat was made good.

"volumes for our political virtue when the wretched machinery we have to work with is considered."[1] It is true that the Scottish representation had always been an appanage of Government rather than of party; but Ministerial influence will not account for the support accorded to Lord Grey in the burghs, for we have seen that in 1819, when the Government was wholly opposed to municipal reform, nearly half of the corporations, at the cost of renouncing their right of self-election, had petitioned in its favour. The town councillors were no doubt more exposed to the pressure of public opinion than the scattered and frequently non-resident freeholders; but in both classes of electors there must have been many who deserved the compliment which was paid to the former by one of their representatives in Parliament—that they had "declared themselves ready to sacrifice all personal or corporate considerations on the altar of their country."[2]

The majority which Scotland had returned to support Lord Grey was, however, quite inadequate to express the temper of its people. It may seem somewhat difficult to account for the enthusiasm which the Government proposals had aroused; but in Scotland the Bill was really one to create, not to amend, representation; the middle class, with even more reason than in England, regarded it as their charter; and the masses, after many years spent in a fruitless agitation for universal suffrage, were prepared to welcome a scheme, not wholly beyond their reach, which at least exceeded their expectations, as much as it fell short of their demands. Reformers were naturally overjoyed to hear that a

[1] *Scotsman*, May 28. *Blackwood* (xxix. 923) had predicted a majority of three to two against reform.

[2] *Mirror of Parliament*, 1831, ii. 2376.

Tory House of Commons had accepted the principle of their measure, though only by a single vote; and the *Scotsman* declared that it had not space "even to name one half of the towns and villages" which had been illuminated in honour of the event. Edinburgh on this occasion was traversed in different directions by two mobs, each of which demolished all unlighted windows on its route, and many unoccupied houses, though guarded by torch-bearers, suffered the same fate. More serious disturbances occurred at Dundee, but elsewhere a better spirit prevailed. The celebration was described as "a perfect jubilee in the west of Scotland"; but the Glasgow crowds were good-humoured, and at Paisley two householders who had had the courage not to illuminate were greeted only with cheers.[1]

The dissolution of Parliament was hailed as an opportunity for striking a decisive balance in favour of reform, and the feudal electorate, for the first and last time in its history, found itself the centre of public interest. Order seems, on the whole, to have been tolerably well maintained; but there were too many exceptions, and Edinburgh was one of the worst. Jeffrey was here the Whig candidate, and the Town Council was inundated with petitions in his support. Robert Adam Dundas, nephew of the late member and a cousin of Lord Melville, was, however, returned by seventeen votes to fourteen, whilst two were given to Lord Provost Allan; and the latter, who had proposed Dundas, suffered severely for the courage he had displayed. The police who escorted him down the High Street were overpowered: he was kicked, knocked down, and all but thrown over the North Bridge. The rioting was renewed at nightfall,

[1] *Scotsman*, March 30, April 2; *Courant*, March 31.

and soldiers, yeomanry and blue-jackets were employed to clear the streets. The freeholders of Lanarkshire assembled in a church, and those of them who voted for Douglas, the Anti-Reform candidate, found to their cost that the gallery could be utilised for so novel a purpose as that of throwing stones. After the election, when "the excitement rose to a paroxysm," the new member and his friends were besieged for several hours in their inn; and a detachment of dragoons had to be summoned to their relief. The military were also called to Ayr, where likewise the Whigs had suffered defeat; and Colonel Blair, the member for the county, was somewhat seriously injured before they could get him on board the steamer which was to convey him to Largs. Lord William Graham had failed to carry Dumbartonshire for the Tories, but this did not save him from the hostility of the mob. Exposed to a fusilade of stones, one of which had almost stunned him, he darted into a house and concealed himself in a bed, where his pursuers, though they entered the room, failed to find him; but they were soon again at his heels, and another stone found its mark before he gained the shelter of a public office which opened on the river and from which he was taken off in a boat.[1] Similar scenes were enacted at Dunbar and Haddington; Sir Walter Scott was the object of a hostile demonstration at Jedburgh; and at Lauder, where the corporation was equally divided, a Tory councillor was prevented from voting for the delegate of his burgh by being carried off in a post-chaise.[2]

[1] A report reached Abbotsford that he had been killed—Lockhart's *Scott*, v. 335.

[2] Hansard, 3rd series, iv. 361, 459; Omond's *Lord Advocates*, ii. 313, 317; Nicolson's *Memoirs of Adam Black*, pp. 76-80; *Courant*, May 19, 21.

Such ebullitions of zeal without knowledge were no doubt inevitable at a time when the consciousness of the country was so profoundly stirred. The proceedings in Parliament were watched from day to day with the keenest interest, and at every crisis in the struggle public opinion asserted itself with unabated vigour. On September 22, 1831, when the Lords were called upon for the first time to give their verdict on the question of reform, a great meeting was held at Edinburgh, and "the shouts were tremendous" when Sir James Gibson-Craig declared: "The people can do without the peers, but not the peers without the people." So many meetings were held elsewhere that not a tenth of them, we are assured, could be noticed in the *Scotsman*. "The public feeling at Manchester and Birmingham and Leeds," said Jeffrey in Parliament on the 23rd, "is cold and frozen compared with the intensity of that which prevails in Scotland." The population of Scotland was only about two millions, whilst that of England and Ireland was nearly twenty-three millions; "and yet I believe the petitions from Scotland in favour of reform are more numerous than those received from all the rest of the empire put together."[1] Keen as was the disappointment excited by the decision of the Lords on October 8, it provoked no such excesses as took place in England; but during the next six weeks there was no flagging of public zeal; and a scene of extraordinary enthusiasm was enacted at Edinburgh on the evening of Sunday, April 15, 1832, when an express, for which crowds had been waiting all day, arrived with the news that the third English Bill had been read a second time in the Upper House.[2] Meetings

[1] *Mirror of Parliament*, 1831, ii. 2373.

[2] Omond's *Lord Advocates*, ii. 323.

were held all over the country in favour of the Bill, and, as the working-men were now coming forward in increasing numbers to support the movement, they had frequently to be held in the open air. On April 24 the trade guilds of Edinburgh assembled in the Meadow Walk, and, headed by a body of Newhaven fishermen,[1] marched in procession, with music, banners and emblems, to the King's Park, where they were addressed by Sir James Gibson-Craig and other well-known Whigs. On the following day there was an out-door meeting at Leith; and on May 10 a demonstration, in which 120,000 persons are said to have taken part, was held on Glasgow Green.

The effect on such a state of feeling may be imagined when it was announced that the Government had lost their majority in committee and had resigned. On May 15, at a second meeting organised by the guilds, in the King's Park, it was resolved, in accordance with a policy which had already been adopted at London and Manchester, that the House of Commons should be petitioned to withhold supplies; and an address to this effect, with 31,000 signatures, was despatched only three days later. Either there was no tendency to disorder or it had not time to develop. "Everything here," wrote Cockburn from Edinburgh on the 16th, "and all over Scotland is as could be wished. The people like rocks—and volcanic rocks—but perfectly peaceable."[2] When these words were written, the crisis had already passed, for Lord Grey on the previous day had returned to power; and the agitation, which had kept the whole country engrossed for a year and

[1] Reform was so popular in Newhaven that many of the boats had been re-christened in honour of its leaders.

[2] *Letters on Affairs of Scotland*, p. 406.

a quarter, culminated in a day of public rejoicing which was held locally at various dates in August and was known as the "Reform Jubilee." The celebration at Edinburgh took place on the 10th; and amongst the banners and devices displayed by the trades at their gathering on Bruntsfield Links was a black placard commemorating the political martyrs of 1793 and 1794.[1]

Of the measure which was thus joyfully received the *Quarterly Review*[2] had ventured to say that it could not "possibly have been devised by any person practically acquainted with Scotland." The original draft was drawn up by Cockburn, who had spent a week in London towards the end of 1830 in consultation with Kennedy and the Committee of Four. A memorandum of the scheme which Kennedy had himself intended to propose was also used, whilst Jeffrey supervised his colleague on behalf of the Government; and the Bill, after Lord John Russell had sketched its provisions in his opening statement, was brought in by the Lord Advocate on March 9, 1831. The qualifications for a vote were to be substantially the same as in England. Two county seats and one burgh seat were to be suppressed; but eight additional seats were to be given to the burghs, and the total number of representatives was to be raised from forty-five to fifty. Six of the less populous counties had hitherto been represented only in every second Parliament—Caithness alternating with Bute, Clackmannan with Kinross, Cromarty with Nairn. Caithness was now to have a member of its own; Bute was to be joined to Dumbarton; Ross, Cromarty and Nairn were to be consolidated; and so also were Peebles and Selkirk. Edinburgh and Glasgow were each to have two members; Dundee and Aberdeen

[1] Cockburn's *Journal*, i. 36. [2] xlv. 327.

and the three principal unrepresented towns—Paisley, Greenock and Leith—were each to have one member; and the Anstruther group of burghs, in which under the new qualification there would probably have been less than a hundred electors,[1] was to be merged in the county of Fife. As Dundee belonged to a populous group which included Perth, its place was not to be filled; but Kilmarnock was to be substituted for Glasgow, Peterhead for Aberdeen; and Falkirk, another unrepresented town, was to be added to the Linlithgow group.

These were the original proposals; but the Bill, as we have seen, was twice re-introduced, and considerable alterations had been made before it became law on July 17, 1832. Pressed by their own supporters to enlarge their allowance of representation to Scotland, the Government consented to restore to counties the two seats they had suppressed and to give one more to the burghs, thus raising the total number of members from fifty to fifty-three. Peebles and Selkirk were to be preserved as separate constituencies, but the burgh in each case was to be merged in the shire. The intention of uniting Bute to Dumbarton was given up; and the former, first as extended by the district of Cowal in Argyllshire, and finally—when this idea had also been abandoned—with the addition of its own burgh of Rothesay, was recognised as a county. Nairn was detached from Ross and Cromarty and combined with Moray. In the burghs a new group was formed, con-

[1] A table had been prepared (*Parliamentary Papers*, 1830-31, vol. x.) showing the population of each burgh, the membership of the council, and the number of houses rented at or over £10. In the Anstruther group these are returned as 35, but this column of the report is very inaccurate. See Hansard, 3rd series, v. 881-884.

sisting of Leith, Portobello and Musselburgh; but what had originally been the Dundee group was dissolved—Perth as well as Dundee getting a member to itself, Forfar being attached to the old Aberdeen group, and Cupar and St. Andrews to the Anstruther group, which, with this addition, was revived. Eight new burghs were distributed among the various groups —Cromarty, Peterhead, Kilmarnock, Port-Glasgow, Falkirk, Airdrie, Hamilton and Oban. The chief objection to the group system—that all the burghs, however small, had an equal weight in the choice of a representative—was of course removed with the extinction, for political purposes, of the town councils; but in seventeen burghs the adoption of a £10 franchise had the effect of reducing the electorate, and whereas in ten of these the total number of voters had been 165, it was reckoned—doubtless an underestimate—that there would now be only 56.[1]

The Scottish Tories, though they no longer called themselves Anti-Reformers, foretold nothing but disaster from a scheme so subversive of the ancient order that, in the exultant words of Jeffrey, "no shred or rag, no jot or tittle of it, would be left." But there were, of course, certain details which they more particularly condemned. One of these was the clause which established a £10 franchise for counties in house property as well as in land. It was contended that this provision would imperil the interests of agriculture by giving

[1] *An Act to amend the Representation of the People in Scotland* (2 & 3 Wm. IV. cap. 65), and Hansard, *passim*. New Galloway had 18 councillors and Crail 19; but, if the return already mentioned can be relied on, the former would now have two electors and the latter three. Alison's idea of moderate reform was to confine the burgh franchise to house-owners, not occupiers, of £100 annual value.—*Blackwood*, xxix. 922.

a predominant voice to house-owners in the small country towns. The Government replied that they had anticipated this objection by proposing to enfranchise farmers with leases for the usual period of nineteen years to the value of £50; and they subsequently reduced the term of lease from nineteen to seven years. It was then objected that the great proprietors and their tenants would overpower the lairds, and to this it was rejoined that the house-owners, being more under the influence of the small resident gentry, would redress the balance. General Sir George Murray, the member for Perthshire, who had succeeded Huskisson as Secretary for War and the Colonies in the late Administration, proposed that the eight Scottish counties which had more than 100,000 inhabitants—Aberdeen, Ayr, Midlothian, Fife, Forfar, Perth, Lanark and Renfrew—should each return two members. A rule somewhat similar to this was to be applied south of the Tweed; but Lord Althorp, who was then in charge of the Bill owing to the indisposition of Jeffrey, was able to show that in Scotland the county constituencies would be very much smaller than in England. In Lanarkshire, with a population of 240,000, it was estimated that there would be no more than 2600 electors. The Government had at one time intended to debar the judges from voting and to establish a landed qualification, at first for both county and burgh members, and then only for the former. Both clauses were given up; and a proposal that clergymen of all denominations—only thirty-three of whom were then on the freeholders' roll—should be excluded from the franchise found only seven supporters. The disability of the eldest sons of Scottish peers to offer themselves as candidates for Scottish seats

was removed, chiefly because under the new conditions it would be more difficult for them to find seats in England.[1]

Holders of superiorities, whether real or nominal, were to retain their rights for life; but, as such franchises would thenceforth have no marketable value, the claim of their owners to compensation was strongly urged. It was declared that these qualifications could be sold for at least £400, that in contested counties they were worth thrice as much, and that their total value was about £1,200,000. The Government, however, insisted that the franchise was not a property but a trust; and, as the borough-owners in England were not to have compensation, there could be no hope for those who had traded on a "hocus-pocus of conveyances and reconveyances" which the law had not only prohibited but had vainly endeavoured to suppress. "I have spent many weary hours," said a Scottish member, "in investigating the meaning of superiorities. I have argued their intention at the bar of the other House, and my definition of them is this—they are all moonshine." [2]

Parliament was kept alive by prorogation from August 16 to December 3, and was then dissolved. The interval had been intended only to allow time for the formation of the new constituencies; but in Scotland, unless Edinburgh was an exception to the rule, the people were in no haste to avail themselves of their electoral rights. Cockburn found it difficult to get his fellow-citizens to apply for registration. "It is astonishing how difficult it is. Hundreds won't take the trouble

[1] Hansard, 3rd series, iv. 620; vii. 1073, 1263, 1274, 1301; xiii. 476-496, 1063.

[2] *Mirror of Parliament*, 1832, iii. 2432, 2970.

and dozens won't pay the half-crowns."[1] Tory candidates were naturally at a loss how to accommodate themselves to the new conditions. They now called themselves "Conservatives"—a name which the more moderate of the party had assumed in 1831[2] as an indication that they accepted the principle of the Bill but not its substance, and which was now used, in the sense of finality, to cover even that. Less successfully, on the strength of this concession, they sought to pass muster as Reformers. Sir George Murray—to the delight of a hostile meeting at Crieff—was severely catechised by a shoemaker as to the date of his conversion; and Sir George Clerk, in conversation with a Midlothian voter, was told that he was not a Reformer but a Conformer.[3] Neither of these candidates succeeded in making good his pretensions, Murray being defeated by 1667 votes to 1073 in Perthshire, and Clerk, despite all that the houses of Melville and Arniston could do for him, by 605 to 536 in Midlothian. The latter result was accounted by the Whigs their greatest triumph; for in Edinburgh the Dundas influence had of course collapsed with that of the council, and the election of Jeffrey and Abercromby as members for the City caused more delight than surprise. When the returns were completed in January, 1833, no more than eight county constituencies—Aberdeen, Banff, Moray and Nairn, Bute, Haddington, Linlithgow, Kin-

[1] *Letters on Affairs of Scotland*, p. 419. Some people (*Ibid*, p. 416) had "got it into their head that under the Scotch Bill women may vote." This was owing to the word "persons" being used, instead of "males," as in the English Bill. "If you have given votes to women, what a regular *sans culottes* administration you will be," wrote one of Kennedy's correspondents.

[2] *Political History of England*, xi. 319.

[3] *Scotsman*, August 25, 1832; Omond, iii. 331.

cardine, Peebles—had declared for the Opposition, and only one urban constituency—the Inverness Burghs.[1]

It could hardly have been anticipated from the relative progress of the two movements that parliamentary would take precedence of municipal reform; and the settlement of 1832 could not be regarded as complete so long as the town councils retained a right of self-election which Lord Archibald Hamilton in 1819 had so effectively exposed. Six weeks before the Scottish Reform Bill became law, Cockburn described one of his confidants as "restless" on this subject. In the autumn of 1832 he and Jeffrey were planning "a simple measure confined merely to making the elections popular";[2] and towards the end of November the Lord Advocate announced to a deputation of the Edinburgh Merchant Company that the Government was prepared to take up the scheme.[3] In March, 1833, two Bills were introduced—one to establish or improve municipal government in the newly-enfranchised towns, the other to popularise it in the royal burghs. In the new towns councils were to be instituted varying in membership from sixteen in Paisley, Greenock, Kilmarnock and Leith to six in Oban; and these were to be chosen by all persons qualified to vote at a parliamentary election. In the great majority of the royal burghs a similar franchise was introduced; but nine of them,[4] in which £10 householders were much less numerous than the former councillors, were to retain the old system, whilst in those more considerable burghs, such as Rothesay

[1] *Caledonian Mercury*, January 19, 1833.

[2] *Letters on Affairs of Scotland*, pp. 409, 434.

[3] *Scotsman*, December 1, 1832.

[4] Dornoch, New Galloway, Culross, Lochmaben, Bervie, Anstruther Wester, Kilrenny, Kinghorn, and Kintore.

and Peebles, which had been merged in counties, there was to be no standard of qualification, but claims were to be submitted to the Provost and a legal assessor, who should admit or reject them under a right of appeal, as in the case of parliamentary elections, to a bench of three or more sheriffs. The two Bills became law on August 28.[1]

A year later, and before the English municipalities had been reformed, Lord Grey retired. His friends in Scotland proposed to signalise the close of his political career by presenting him with a testimony of their gratitude and esteem; and he accepted their invitation to a banquet in Edinburgh. Scotsmen were naturally eager to see the veteran statesman whose struggle for their emancipation they had watched from a distance with such breathless interest; and the enthusiasm evoked by his presence exceeded anything that had been seen during the crisis of reform. He crossed the Tweed at Coldstream under a triumphal arch of flowers and shrubs which had been erected over the bridge; and the tenants and neighbours of his host, the Duke of Roxburgh, escorted him in procession to the Market Place where for the first time he addressed a Scottish audience. There were similar demonstrations at Kelso, at Fala, where he entered Midlothian, at Pathhead and at Dalkeith. Fifty horsemen rode out from Edinburgh to meet him on September 15, 1834; and at the Lord Provost's house in Newington he was met by the assembled trades. "From Newington to the Waterloo Hotel on Waterloo Bridge he moved through a human mass, all cheering, and as many as could

[1] 3 & 4 Wm. IV. c. 76 & 77. On March 30 a Bill for the abolition of slavery within the British dominions—which had always been a popular cause in Scotland—received the royal assent.

shaking his hand, and almost every ridge, pinnacle and window waving with handkerchiefs."[1] At the Waterloo Hotel he received numerous addresses, and the freedom of the city was presented to him in "a magnificent gold box." That evening the banquet, which owed much of its success to Sir James Gibson Craig, took place in a pavilion which had been erected in the High School yards. The Earl of Rosebery presided in the absence of the Duke of Hamilton, and amongst the 2763 persons who had assembled in honour of the guest were Lord Brougham and the Earl of Durham.[2]

These proceedings were a fitting sequel to the great measures by which a considerable proportion of the Scottish people was at last admitted to political and municipal life; and those who have seen furthest into the national development will be the least surprised that this crisis in its history had been so long delayed. Two and a half centuries of mediaeval warfare had arrested or perverted the growth of free institutions; the Reformation had aroused a popular spirit only to absorb it into the activities of a democratic Church; and the Scottish Parliament had barely recovered from the torpor imposed upon it by ecclesiastical dissensions when it ceased to exist. Transported in miniature to a distant metropolis, it lost all interest for the nation which it did not even theoretically represent; and the accession of George III., half a century later, which inaugurated a more popular era in English politics,

[1] Cockburn's *Journal*, i. 65.

[2] *Scotsman*, September 13 and 17; *Courant*, September 13. Cockburn remarks that "our deluded nobles" were not at the banquet; but seventeen of them, in addition to the Duke of Hamilton and Lord Rosebery, were advertised as stewards, and eleven were actually present.

found the Scots engrossed in a marvellous expansion of literature, industry and commerce. It was reserved for the French, foreshadowed to some extent by the American, Revolution to arouse a passion for liberty which, impervious at heart to the blows of repression and bursting forth anew in seasons of industrial distress, was to continue till the outbreak of another French Revolution called it to the victory it achieved in 1832.

None of the arguments which could be used in defence of the old House of Commons as a whole were applicable to the Scottish parody of representation which was then abolished. Literally in the burghs, substantially in the counties, it was a mere club—a social rather than a political club—which existed only to secure for the use or the interest of its members a monopoly of Government patronage. The nobles, who controlled many of the small burghs and swamped the counties with their parchment voters, were the presiding spirits of this system ; and the sort of influence they exerted may be inferred from the sixteen peers, chosen to order, whom with unfailing regularity they placed at the disposal of Government in the House of Lords.[1] The want of sympathy between the upper and lower classes, which Jeffrey in 1819 had described as " the great radical evil which now threatens this country," was nowhere so conspicuous as in Scotland, where politics offered rather a livelihood than a career, and society was dominated by a few privileged individuals who dreaded in every rumour of popular commotion the loss of their offices and pensions. Even so genial and

[1] In 1832, for the first time in its history, the Scottish peerage declared for the Opposition, and did so by the handsome majority of twelve to four. —Cockburn's *Journal*, p. 17. But this was a quite exceptional case, and Lord Grey, unlike all his predecessors, had refused to influence the election.

kind-hearted a man as Scott was capable of exulting in "the Scots laws against sedition,"[1] which, as enforced in 1792, had filled Englishmen with disgust. In *Blackwood's Magazine* we have probably as good a reflection of the temper which prevailed amongst the Anti-Reformers of Edinburgh as can now be obtained; and the real distinction, always latent and frequently avowed in its political articles, is not one of party or principle but between "gentlemen" and a mass of uncouth and unsavoury beings, laudably industrious, but liable to fits of physical and political intoxication, and so conveniently devoid of intellect as to be incapable of studying anything but the Bible.[2] Under such conditions and in so narrow a sphere, it is little wonder that the struggle for emancipation was prosecuted with a vigour and an enthusiasm which far exceeded anything to be found in England; and the subsequent fidelity of Scotsmen to liberal ideas, in so far as it has sprung from sentiment, must be ascribed not, as has been imagined, to an inverted conservatism, but to a detestation of the word "Tory" which forty years of insult and repression had branded on the hearts of the people.

[1] Lockhart, iv. 479.

[2] Matthew Arnold's aphorism, "He who knows only the Bible does not know even that" was beyond the compass of that generation. As to *Blackwood*, see especially xxix. 925-927, xxxi. 14. "It is a real moral aberration in people of the ordinary callings in trades or professions to take a passionate interest in political affairs."—*Ibid.* xxxi. 73.

CHAPTER VI

SOCIAL CONDITIONS

No sooner had the Reform Bill become law than the coalition of moderate and extreme Whigs which had secured its triumph began to break up; and Scotland, having extended its hospitality to the leaders of both sections, was to be the scene of their first encounter. Lord Brougham, who now came forward as the apostle of moderation, had attained to the summit of legal preferment without losing any of that faculty for irritating friends and exasperating opponents which he had shown at the outset of his career. The retirement of Lord Grey was generally attributed to a correspondence which Brougham, unknown to his chief, had opened with the Irish executive; and he flattered himself, not without reason, that it was he alone who had saved the Cabinet from extinction by persuading its members to continue in office under Lord Melbourne. When Grey crossed the Tweed on September 11, 1834, Brougham had forestalled him in testing the warmth of a Lowland, and even of a Highland, welcome; and one of the devices which he practised on this occasion was that of representing himself, without the least justification, as the confidant of the King. Thus, in thanking the corporation of Inverness for the gift of its freedom,

he declared that His Majesty would joyfully accept the honour which had been conferred on the keeper of his conscience as a compliment to himself, "when I tell him as I will do by this night's post"; and the missive, which created anything but satisfaction at Court, was actually written and despatched a few hours later, when the Lord Chancellor and an old fellow-student whom he had recognised in the crowd were renewing their acquaintance over a bowl of punch. The newspapers made so merry over this flourish that the orator, in addressing an Aberdeen audience, threatened to hold them up "to ridicule and to scorn, aye and perhaps to punishment." But there was a political allusion in the Inverness speech which caused it to be more seriously studied. Referring to those who complained that the Government were showing little disposition to complete the work of reform, Brougham said, "My own opinion is that we have done too much rather than too little"; and he added "If we did little in the last session, I fear we shall do less in the next."[1]

These words were interpreted as a reflection on Lord Durham, whom ill-health and a distaste for coercion in Ireland had withdrawn from the Cabinet in 1833; and it was both hoped and dreaded that the Edinburgh banquet on September 15 would be enlivened by an oratorical duel between the two statesmen, if indeed the contest did not become a triangular one through the participation of Lord Grey, who, though he agreed with the Chancellor on this issue, could no longer meet him as a friend. Brougham, however, on this occasion had nothing but praise for the ex-Premier, and reserved all his sarcasm for those "hasty spirits" whom he

[1] Campbell's *Lord Chancellors*, viii. 433, 451.

likened to travellers so eager to reach their destination that they would not "wait to put the linch pins into the wheel," to men who embark on a voyage of discovery without seeing that there is a compass on board, to builders who dispense with "the plummet and the line." Durham, in replying to the toast of his health and that of "the Reformers of England," said he knew nothing of the persons to whom the Chancellor had tendered this "sound advice." He declared that what he objected to was not deliberation but the sacrifice of principle, and, in words which elicited loud applause and were to be accepted by the Radicals as their watchword, he said "I myself confess that I am one of those who regret every hour that passes over the existence of acknowledged but unreformed abuses." Brougham returned to the attack in a speech at Salisbury and in an article in the *Edinburgh Review*; and Durham defended his position at an out-door meeting at Dundee and at a banquet which was held in his honour at Glasgow on October 29. This was intended as a supplement, and in some measure as an antidote, to the Edinburgh banquet to Lord Grey. It was an equally enthusiastic, but less exclusive and much less decorous feast;[1] and the "Durham Festival" was so much beyond the strength of its hero—who had to walk for two miles in procession through the streets, to make eleven speeches, and to speak or sit for seven hours at the dinner—that he wrote from Glasgow two days later: "I don't think I was ever so unwell in my life."[2]

[1] A bottle of wine was placed before each of the 1700 diners and, as Durham arrived three quarters of an hour late, some of them drank it to sustain their patience. Those who had been unable to obtain tickets were accommodated in a gallery with sandwiches and a bottle of wine each.—Mackenzie's *Reminiscences of Glasgow*, ii. 413; *Scotsman*, Nov. 1.

[2] *Scotsman*, Nov. 1; Reid's *Lord Durham*, i. 377-380, 387-396.

The section of Scottish Radicalism, which repudiated Grey and was not satisfied by even so extreme a Whig as his son-in-law, was apparently at this period no considerable body. Cockburn remarks of a huge demonstration which he witnessed at Glasgow on September 8, 1831, that "beyond the disposition in favour of Reform, which was the object of the whole thing, there was nothing more popular than what might have been seen among the higher classes"; and at the Edinburgh Reform Jubilee in the following August the same observer could not detect amongst the banners and placards any allusion to Cobbett or Hunt. As if to make good this omission, Cobbett visited Scotland a few weeks later; and, though the addresses he received and the audiences at his lectures were sufficiently numerous and favourable to confute, as he imagined, "the mortified, spiteful and ridiculous reptile who writes the *Scotsman* newspaper,"[1] Cockburn was by no means alarmed at the results of his tour: "He has made little sensation and done no manner of ill."[2] Aytoun, a leader of the Edinburgh Radicals, attempted to oppose Jeffrey at the election of 1832, but soon retired. Whilst disapproving of the banquet to Grey, he was a subscriber to the gold casket, in order, as he subsequently explained, to prevent it being paid for out of the municipal funds; and we are told that "not a few respectable gentlemen who are called Radicals" consented to act as stewards. At two meetings held under the auspices of the trade guilds, it was resolved not to take part in the demonstration; but this decision was overruled by that of a more representative meeting, and, despite the opposition of their leaders, the artisans "insisted on turning out in all the glory of banners

[1] Cobbett's *Tour*, p. 174. [2] Cockburn's *Journal*, i. 21, 34, 38.

and music."[1] A very different impression must, however, be produced when we turn from such indications of the popular temper to its formal assertions and demands. In the space of only two years the Reformed Parliament had emancipated the slaves, thrown open the East India trade, reformed the Court of Chancery and the Irish Church, established municipal self-government in Scotland and remodelled the English Poor Law; but in the address presented to Durham at a mass meeting on Glasgow Green it was asserted that none of these achievements "bore, except with additional burdens, upon the condition of the British labourer"; and he was referred to "the base embargo on the bread of life," to the general inequality of taxation, to "unhallowed restrictions on the acquirement of useful knowledge," and to a host of pensioners "still left to fatten upon the fruits of our toil," as reasons "for a greater infusion of popular feeling into the legislature." Durham assured his hearers that he was at one with them in their demand for the ballot, household suffrage and shorter parliaments. In reply to a still more sombre address from the Dundee Political Union he had declared that he should "despair of the prosperity of his country if he took so gloomy a view of its condition."[2]

This expression of opinion was probably more congenial to the great majority of Durham's hearers than that which had been put forward in their name. We have seen that it was only in seasons of social distress that Radicalism expanded into a really popular movement; and during the years which preceded and followed the victory of reform not only were the working classes

[1] Cockburn's *Journal*, i. 65.

[2] *Scotsman*, Sept. 6, 10; Oct. 8; Nov. 1.

more or less dominated by the Whigs, but trade was flourishing, and bread, owing to a succession of good harvests, was comparatively cheap. Extravagant speculation, comparable only to that of the South Sea Scheme, had produced a financial panic in 1825; but, four years later, the depression due to this cause was passing away, and the general prosperity continued till 1836 when it culminated and then suddenly collapsed.

The return to harder times was inaugurated in Scotland by a strike in the cotton trade which, though confined to Glasgow, attracted even more attention than the national one of 1812.[1] On this occasion it was the spinners, not the weavers, who ceased work. Several other occupations in the district, and notably that of the miners, were also suspended. Indeed, we are told that, with exception of the power-loom and hand-loom weavers and the printers, there was scarcely a skilled workman in Glasgow who remained at his post; and the cotton-spinners would never have emerged from the obscurity of these local disputes, had not certain disclosures been made in the course of a criminal prosecution which, however coolly they were received by the working classes, produced elsewhere an impression of horror and dismay. It is probably no exaggeration to say that these men were the best paid workers of their class in Great Britain. Their average weekly remuneration was from 20s. to 35s. or even 40s., whilst the average in other trades, possibly less arduous but requiring equal experience and skill, was from 20s. to 27s. With each of the spinners were associated six or eight women who, in the event of their being thrown idle, had no means of support. Yet at a time of acute and general distress they refused to submit to a withdrawal of the rise in

[1] See p. 138.

wages which had been conceded to them at a time when trade was exceptionally brisk. They met with as little sympathy in the Liberal as in the Conservative press; and it is a proof of the unanimity which prevailed on this question that Alison, the Sheriff of Lanarkshire, contributed an article on the subject to both *Blackwood's Magazine* and the *Edinburgh Review*.

Such was the character of this dispute as presented to us from the standpoint of the masters by Alison and Cockburn; but these writers are of little assistance in showing how the trouble arose; and it is significant that the mill-owners, in their evidence before a Select Committee of the House of Commons appointed to inquire into the working of Trade Unions, were much less communicative on this subject than the men. Ten years earlier, in consequence of the commercial crisis which has just been mentioned, there had been a reduction of wages amounting to 22 per cent. At this level cotton-spinning was still a fairly remunerative trade; but the masters insisted that it could be maintained only if none of them were permitted to pay less; and the spinners were thus compelled at great expense to call out from time to time the workmen of individual "low payers," whilst the masters, though these sporadic strikes were all to their interest, are said to have victimised the leaders. By such means a uniform wage for cotton-spinners in Glasgow was established in 1827. Soon afterwards trade revived; but no advance was offered or asked for till the autumn of 1836; and, after a rise of 15½ per cent. had then been conceded, some at least of the masters intimated that it could not be continued unless the country mill-owners, and especially a Mr. Dunn of Duntocher, were brought up to the same rate. Dunn was accordingly selected as the subject of

this experiment; 102 men were called out for sixteen weeks; and the strike ended in failure and at a cost to the Union of £3000. Whether the Duntocher strike was really, as the men believed, a device of the masters for impoverishing their Union may reasonably be questioned; but there can be little doubt that the masters took advantage of its disastrous result to provoke a general strike in the following spring. On Wednesday, April 3, 1837, a few of them intimated that the recent advance would be withdrawn at the end of the week; and on the 5th, finding that even then only a minority of the masters had made this intimation, the spinners resolved to resist. On Saturday the remaining masters gave notice—some of them not till the works had closed. The men, who were refused time to deliberate, naturally interpreted these proceedings as an attempt to take them by surprise; and one of them assured the Select Committee that, had all the masters concurred in giving a week's notice, there would have been no strike.[1]

The spinners were soon joined by the miners; but, for about three weeks after the former had ceased work on April 8 and their places had as far as possible been filled, there was no serious disturbance. In the beginning of May Sheriff Alison was informed that the strikers were surrounding one of the suburban factories and assaulting the new hands, ten or twelve of whom he himself saw with blood on their faces; and, though the appearance of a troop of horse put a stop to disorder in this quarter, it broke out immediately after in the Calton district of Glasgow, and for more than a week the Sheriff, according to his own account, was receiving

[1] *First Report from Select Committee on Combinations of Workmen*, 1838. See especially pp. 3, 4, and the evidence of Angus Campbell, pp. 30-40.

daily two or three applications for military aid, and the city was "in a state almost of insurrection." Several of the rioters were arrested and one of them named Keddie was convicted of assault; and the Sheriff at this point entered into a somewhat curious arrangement with the Union, by which it agreed to withdraw the "guards" or pickets on condition that Keddie was not sentenced and that the other prisoners were released. In June there was a recrudescence of violence, in the course of which attempts were made to burn the mill of one employer and the house of another; and finally, on July 22, John Smith, a man who had returned to work in defiance of the Union, was shot and mortally wounded. The masters at once offered a reward of £500 for information; and, this offer having achieved its purpose, the strike committee, sixteen in number, were surprised and arrested at a tavern on July 29. A resolution to resume work was adopted by the men a few days later and carried out on August 5. Their allowances from the Union had been reduced from 3s. to 9d. a week, and the terms they accepted were inferior to those they had refused in April.

Five of the prisoners were selected for prosecution; but the Crown lawyers had little confidence in the strength of their case; and, after an indictment which they had delayed as long as possible had been found relevant on November 8, they gave it up and postponed the trial to January 3, 1838. Meanwhile meetings to petition in favour of the accused were being held in all the manufacturing towns; Trade Unions were subscribing for their defence; and Alison informs us that he was denounced as "a public enemy by placards posted simultaneously during the night in every city of Great Britain and Ireland." The trial lasted for

nine days; it was fully reported in all the leading newspapers;[1] and so great was the interest aroused in Edinburgh that the Court could accommodate only a small number of those who sought admission, and large crowds assembled every evening in Parliament Square. Jurymen in such circumstances must have found it difficult to maintain the open, or at least the unperturbed, mind; but the evidence for the more definite charges was so far from conclusive that the Lord Justice-Clerk took thirteen and a half hours to sum up. The prisoners were charged, first with a conspiracy to promote the objects of the strike by intimidation and violence, and secondly with having prompted or perpetrated for that purpose a series of crimes culminating in the murder of Smith. The latter part of the indictment was found "not proven"; but they were convicted by a bare majority on the more general charge, and were sentenced to seven years' transportation.[2]

The disclosures made at the trial were, however, incomparably more important than its meagre result; for, whether the Crown had prosecuted the right or the wrong persons, there could be no question that the offences laid to their charge had been committed and were the outcome of a policy which the cotton-spinners had long pursued. An "association" or union had been established in this trade before 1816 and now comprised

[1] The *Scotsman* report of January 13 begins in a supplement and flows back, so to speak, over the whole paper, except the advertisements and two columns of news.

[2] *First Report of Select Committee*, pp. 97, 98; Swinton's *Report of the Trial*, pp. 246, 308; Sir Archibald Alison's *Autobiography*, i. 376-390, 394-398. The last account says little in point of accuracy for the historian of Europe. Almost all the dates are wrong; M'Lean, the suspected assassin of Smith, appears as Macleod; and the estimate of the evidence and verdict (p. 397) is quite unwarranted.

thirty-eight factories and about a thousand workmen. Its main object was to extort a maximum of remuneration from the employers, and to support in time of need those who contributed to its funds; but it embarked on other designs, such as assisting the "emigration both home and abroad" of strangers who had been attracted to Glasgow by the high rate of pay, making grants to strikers in other trades, and maintaining a newspaper called the *New Liberator*; and from 1827 to 1837 it had expended on such purposes about £12,000. The persons most obnoxious to the Union were, of course, the "nobs," or, as they would now be called, the "blacklegs" or "strike-breakers," who persisted in working when it had decreed a "turn-out"; and these were dealt with under the direction of a "guard committee." The "guards" did not always confine themselves—any more than their present representatives, the pickets—to peaceful persuasion; but, when bribes, threats and even blows proved ineffectual, there was still another resource in the shape of a secret committee, which was authorised to hire "loose hands" or non-unionists for purposes of incendiarism or personal assault.[1]

A long train of outrages, persistent if not numerous, bore witness to the efficiency of this system. In 1818 an attempt was made to burn a factory which had been opened with a staff of women. The attempt failed; but, a year or two later, a woman was murdered, presumably "in a mistake for her daughter" who worked in this mill, and two men supposed to be implicated were despatched to America. In 1820 a man named M'Quarrie was shot at and a sum of £15 was paid to his assailant. In 1825 the dastardly practice

[1] *Report of Trial*, pp. 66, 74, and Appendix, pp. 10, 22.

of waylaying obnoxious workmen in the dark and throwing vitriol or sulphuric acid in their faces caused horrible injuries and, in at least one case, total loss of sight. Five persons were sentenced for this offence to fourteen years' transportation. In the same year there was another shooting case—ultimately a fatal one—in which the wife of a cotton-spinner who had been found guilty and transported received twelve shillings a week for eighteen months, whilst an accomplice of her husband was awarded £20; and this sum he obtained on the testimony of a man who had exculpated the spinners at a public meeting called by them to attest their innocence of the crime. Two more outrages occurred respectively in 1827 and 1833—the firing of a loaded pistol into the bedroom of a "nob" and the blinding of a girl with vitriol.[1] All the five prisoners prosecuted in January, 1838, were charged with the murder of Smith—one as the actual assassin, and the other four, in their capacities of president, treasurer, secretary and assistant-secretary of the Union, as having instigated and paid for the deed. That they were not convicted on this article was naturally made the most of by their friends; but the working classes at this period were actuated by too bitter and resolute a spirit[2] to be at all discomposed by what the *Scotsman* called "the appalling scenes of guilt and atrocity disclosed in the evidence—scenes which throw an indelible stain on the national character, and will be read with amazement and horror in every part of Europe."

The democratic movement had again become an element to be reckoned with in industrial strife. It

[1] *Report of Trial*, pp. 74-76, 81, 165, 191-192, 359; *Report of Select Committee*, pp. 121, 183; *Edinburgh Review*, lxvii. 229.

[2] See Mr. and Mrs. Webb's *Trade Unionism*, p. 154.

was now called Chartism, from the petition known as "the People's Charter," which embodied its five demands —manhood suffrage, the ballot, annual parliaments, payment of members and the abolition of their property qualification;[1] but Jacobinism, Radicalism and Chartism were but successive changes in the name of one and the same thing—the agitation for popular rights which had originated in the French Revolution, which had re-asserted itself in the privations of the Peace, and which, after its collapse in 1820, had been kept in abeyance by the growing ascendency of the Whigs and by their triumph in the prosperous times of the Reform Bill. That measure was a grievous disappointment to those who had expected that it would prepare the way for a still more liberal franchise. Lord John Russell had extinguished any hopes they may still have entertained by a declaration which won for him the nickname of "Finality John"; the depression of trade, accompanied by a series of bad harvests, which began in 1837, increased their impatience; and the strike of the Glasgow cotton-spinners may be regarded as the opening of a political campaign. Several of the men who were already becoming conspicuous as Chartist leaders—Taylor, Stephens, Beaumont and Feargus O'Connor—exerted themselves to encourage and exasperate the strikers. They were all accomplished demagogues, and the Whig Government permitted them for a time to indulge in the wildest license of speech. Taylor was the son of an Ayrshire proprietor and had served as a surgeon in the Navy. He edited the *Liberator* newspaper, which was the local organ of Trades-Unionism, and spoke frequently at mass meetings

[1] Scottish members, as we have seen (p. 222), were exempted from this qualification.

on Glasgow Green. On November 8, 1837, when the first indictment was debated and approved in the Court of Session, Beaumont and O'Connor addressed a meeting in the Waterloo Hotel, Edinburgh, and one or other of them in the course of his speech referred to the judges as the "five villains in scarlet" and to the prisoners as the "five respectable gentlemen in black."[1] On January 4, 1838, the second day of the trial, Stephens at Glasgow denounced the employment of women and children in the mills and the inadequate wages paid to men, and concluded by declaring that, if these evils were not reformed, "we shall wrap in one awful sheet of devouring flame, which no army can resist, the manufactories of the cotton tyrants and the palaces of those who raised them by rapine and murder."[2] Birmingham, which had headed the working-class agitation in favour of the Reform Bill, was now the headquarters of Chartism. Its Political Union sent an agent to Scotland who reported favourably on the disposition of the people; and the first great demonstration in support of the Charter is said to have been that which was held at Glasgow, under the supervision of the police, on May 28, 1838, when Attwood, one of the members for Birmingham, advocated the presentation to Parliament of a monster petition, which was to be signed by all democrats and was to be enforced in the last resort by a general strike. Reports testifying to similar enthusiasm in other Scottish towns, with exception of Dunfermline, were presented to the Chartist Convention at Birmingham shortly before it was broken up by the police in July, 1839; but the agitation

[1] Cockburn's *Journal*, i. 157.

[2] *Blackwood*, xliii. 284; Somerville's *Autobiography of a Working Man*, p. 442.

in this part of the kingdom was, happily, unattended by the riots and disturbances which characterised it in England.[1]

That there was no outbreak in Glasgow may appear surprising when we consider the crowded and unwholesome state of that city and the spirit it had displayed, under conditions less favourable to disorder, in 1820. During the fifteen years which preceded 1838 the number of its inhabitants had increased from 150,000 to more than 250,000; and many of these were housed in such a manner that Liverpool, which could provide nothing better than cellars for more than a fifth of its working-class population, was said to be "decidedly better."[2] "In the very centre of Glasgow," wrote Captain Miller, the Superintendent of Police, "there is an accumulated mass of squalid wretchedness which is probably unequalled in any other town in the British dominions"; and he described the houses which accommodated from 15,000 to 30,000 persons as "unfit even for sties."[3] In this quarter dwelt many of the handloom weavers, whose wages for piecework had fallen from 4s. 6d. in 1815 to 1s. 6d. in 1832;[4] and one of the Assistant Commissioners appointed by Parliament to inquire into their distress expressed himself thus: "A very extensive inspection of the lowest districts of other places both here and on the Continent never presented anything one-half so bad either in intensity of pestilence, physical and moral, or in extent, proportioned to the population."[5] We have seen that the

[1] Gammage's *History of Chartism*, pp. 15, 20, 28, 126.

[2] *Parliamentary Papers*, 1841, x. 352.

[3] Walpole's *History of England*, iv. 23.

[4] *Edinburgh Review*, lxvii. 258.

[5] Alison's *Observations on the Management of the Poor*, 1840, p. 14.

factory hands were comparatively well paid; but the severe and protracted labour to which they were accustomed from childhood left them little leisure for anything but a propensity to drink; and their manner of living was so far below their means that Cockburn had some justification for describing them as "the poorest wretches in Glasgow."[1] Of 17,949 cotton operatives in Lanarkshire, 1651 were reported in 1834 to be under thirteen years of age. Work in the mills began at six in the morning or earlier, and, except for two half hours, went on till seven at night, and continued for nine hours on Saturday.[2] Since 1823, when the prevalence of smuggling led to a reduction of the excise, the consumption of spirits in Scotland, and especially in the west of Scotland, had enormously increased. In London the proportion of public-houses to other premises was one to fifty. In Glasgow it had recently been one to twelve—a ratio which was exceeded only in the Burgh of Dumbarton, and it was now reckoned as one to ten.[3] Here as elsewhere intemperance, poverty and overcrowding produced their natural results. In 1827 the "amount of population to one criminal for serious offences" in Glasgow, *i.e.* to one person tried by a jury, was 1041: in 1837 it was 645.[4] The average annual mortality in London was one in forty-one. In Glasgow since 1830 it had been one in thirty, whilst in 1837—not a cholera year—it rose to one in twenty-four; and Professor Cowan, of the

[1] *Journal*, i. 159.

[2] *Select Committee on Combinations*, 1838, p. 112; *New Statistical Account*, xi. 24.

[3] *Select Committee on Combinations*, p. 113; Cleland's *Enumeration of the Inhabitants of Glasgow*, 2nd edition, pp. 113, 115.

[4] *Edinburgh Review*, lxvii. 246, 247.

University, estimated that in the five years ending December, 1839, more than a sixth of the inhabitants suffered from typhoid fever.[1]

Below the level of precarious and improvident industry there was of course a still darker world of utter destitution; and it could not be said that Scotland had yet made any systematic attempt to provide for its deserving poor. In the south of England outdoor relief had been bestowed on so lavish a scale, and had been so largely utilised as a means of paying wages at the expense of the community, that the poor-rate created almost as many paupers as it relieved; and it was the withdrawal of more than two millions from this fund under the Poor Law Amendment Act of 1834 which contributed with scanty harvests and depressed trade to cause the Chartist outbreak. In Scotland such liberality as there was required rather to be enlarged than curtailed. The Scottish Poor Law was based on a statute of 1579, anticipating that of Queen Elizabeth, which authorised, though it did not prescribe, a regular assessment; but the administration of the Act was soon transferred from magistrates and justices to the kirk-sessions;[2] and the principle of assessment was so far from commending itself to these bodies that only some eight of them had adopted it before 1740,[3] and at the end of another century there were three classes of parishes —the legally assessed, the voluntarily assessed and the non-assessed. The first class, which, though steadily increasing, was still confined mainly to the large towns and the Border district, comprised 236 parishes and a

[1] Alison's *Observations on the Management of the Poor*, p. 14; *Illustrations of the Management of the Poor*, p. 23.

[2] Sir George Nicholls's *History of the Scotch Poor Law*, pp. 19, 20, 29, 32.

[3] Lamond's *Scottish Poor Laws*, p. 45.

population of well over a million ; the second class, in which the rate was levied only on those willing to pay, comprised 126 parishes and a population of 306,000 ; and the third class comprised 517 parishes and a population of 873,000.[1]

There was little in this system to justify the place it had obtained in the national esteem. It is true that Scotland in proportion to its population had only half the pauperism which existed in England and maintained it, after a fashion, at considerably less than a quarter of the cost ; but the two countries differed widely in the connotation of this term. The poor in Scotland were divided into the " ordinary " or disabled poor, of whom a roll was kept, and the " occasional " or sick but normally able-bodied poor ; and it was only the former —whatever may have been the legal basis of this distinction—who were recognised as entitled to relief.[2] Poverty in itself, whether it resulted from unemployment or from old age, conferred no such right ; and, whereas in England in 1839 there were 587 workhouses, in Scotland there were four—three in Edinburgh and one at Paisley. Moreover, in all cases, whether permanent or temporary, the relief given was never more than a grant in aid ; and this was eulogised as the great merit of the system on the ground that it stimulated exertion and fostered the generosity of relatives and friends. In the Border counties, which under English influence were the most liberal, the average annual allowance to a pauper family on the permanent roll was £4 1s. 3d. ; but it was so much smaller in other parishes, and notably in the non-assessed, that the average for the whole country was £1 13s. 6½d., or ninepence a week. And it was only the more fortunate who got even that.

[1] *Scotsman*, May 22, 1839. [2] Nicholls, pp. 112-115.

Captain Miller at this period found 1038 "cases of utter destitution" in Glasgow, and of these 632 were unrelieved. A physician, whose practice was chiefly in the Old Town of Edinburgh, gave it as his opinion that "in the great mass of cases of destitution there is no parish assistance." The assisted poor of Dundee, according to the testimony of a parish minister, received only enough to pay the rent of their rooms:—"As for food and clothing, it is plain that they must find that elsewhere or starve; and starve I believe many of them do"; and in a report on the poor of St. Andrews, which was unanimously approved by the town council, it is stated that "the allowances they receive can be regarded as nothing else than a system of protracted starvation." At Peterhead five per cent. of the population were enjoying public charity to the extent of a halfpenny a day—an income which by casual labour, help from friends and a license to beg on Fridays they contrived to raise to about twopence. Throughout the whole north of Scotland the average annual allowance was 9s. 4d.; whilst at Inverness the pauper sometimes got two shillings a year, but had usually to be content with one.[1]

That the poor should support the poor, or in other words that the cost of their maintenance should devolve on the working classes, was a comfortable maxim for the rich, and in Scotland it was turned to the fullest account. Dr. Chalmers, the keenest advocate of voluntary relief, declared that "the greatest palliation for the misconduct of the poor, especially in the great towns, is the cruel neglect and abandonment of them by the upper ranks of society";[2] and the justice

[1] Alison's *Illustrations of the Management of the Poor*, pp. 15, 19; *Further Illustrations*, pp. 7, 9, 10, 16; Lewis's *Pauper Bill of Dundee*, 1841, p. 3.

[2] Quoted in Alison's *Reply* to Dr. Chalmers, 1841, p. 2.

of this assertion was forcibly illustrated in Edinburgh, where the members of the College of Justice had obtained an exemption from the poor-rate which they steadily refused to give up, though the rental liable to assessment was thereby reduced by about a fifth.[1] It was an ex-Senator of this college, and one who as a landowner enjoyed the invidious profits of a tax on food, who asserted that "the cause of poor's rates being high and constantly increasing in any country is the idleness and improvidence of the lower classes."[2] One would certainly infer from the statute law that the heritors were bound to co-operate with the kirk-sessions in supporting both the ordinary and the occasional poor; but it had long been established in practice that their obligation was limited to the former and even in that case was operative only where an assessment was imposed[3] —an expedient which, consequently, they had good reason to resist. Nowhere was rural destitution so conspicuous as in the Highlands; but it was reported from this quarter that the proprietors and their agents contributed little or nothing to its relief, being apparently unwilling to interfere with that charity of neighbours which they deemed "a wholesome exercise of Christian virtue." At Peterhead the church collections amounted to nearly £200 a year, "chiefly in halfpence"; and it is said to have been "notorious" that a halfpenny was the usual contribution of all the parishioners from the landed proprietor to the servant-girl.[4]

Such being the condition of pauperism in Scotland, no great attention need be bestowed on the experiment

[1] Alison's *Observations on the Management of the Poor*, p. 39.

[2] Lord Pitmilly's *Remarks on the Poor Laws*, p. 45.

[3] Nicholls, pp. 78, 114.

[4] Alison's *Further Illustrations*, pp. 25, 28.

made by Dr. Chalmers when he undertook to prove that a Glasgow parish—a poor but by no means a destitute parish[1]—could be adequately administered without drawing on the funds raised by assessment which were managed by the Town Hospital. It is true that in a period of less than four years, during which he was the minister of St. John's, he diminished the number of names on his permanent roll from ninety-eight to seventy-seven, and, whilst providing for the occasional poor who had hitherto been assisted from the central fund, believed himself to have reduced the total expenditure from £1400 a year[2] to £225; but these results could have been achieved only by a man who sought, as Chalmers did, to discredit the very instrument he employed; and he was so far from apologising for "the sessional charity of Scotland," with its doles of ninepence or threepence a week, that he was anxious rather to abolish than to enlarge it, and considered that "each Kirk-Session ought to make full demonstration of its impotency." The only sufferers who in his opinion could always be relieved without risk of injury to their character were those who had become "blind or deaf or lunatic or maimed, which no man is wilfully." The victims of industry and its worn-out veterans, who had failed to provide against the penalties of unemployment and old age, were taught to shun the poor-box as a source of contamination and disgrace; and the same attitude was inculcated towards a public subscription, and even

[1] Chalmers calls it the poorest, but elsewhere mentions a colleague "who has indisputably the poorest."—*Works*, xvi. 176, 220. St. John's was a new and suburban parish, and can have comprised nothing like the destitution which prevailed in central Glasgow.

[2] Estimated as a tenth of the total cost of pauperism in Glasgow.

towards a soup kitchen, which were reluctantly instituted in this parish during a period of unexampled distress. The parochial soup must, under such conditions, have had so unpleasant a flavour that we can readily understand its being held in "almost universal contempt." One may suppose that the innocence of illegitimate and of deserted children would entitle them to relief; but Chalmers believed strongly in punishing through them the sins of their parents, and considered that it would be both a wholesome and a humane step "were the Kirk-Session forthwith to put a negative on all those demands that have their direct and visible origin in profligacy of character."

The rigour of this Spartan *régime* was enveloped by its author in a cloud of rhetoric testifying to the virtues —the neighbourly kindness, the filial piety, the sense of honour and independence—which it was fostering amongst the poor;[1] and we look in vain for any recognition of the fact that the great mass of the poor throughout Scotland were indeed living at the expense of their less indigent neighbours, but only through the solicitation —one might almost say in some cases the extortion[2]— of alms. Under a system administered in this spirit one

[1] "In several parts of Scotland where careful inquiry was made, the number of persons living in a very destitute state who received any assistance from their relatives was not more than one-fifth of the whole."—Alison's *Illustrations*, p. 46.

[2] The Sheriff-Substitute of Perthshire declared that the prevalence of begging made it "difficult to reside in the country districts with peace and safety, not to speak of enjoyment"; and he attributed this evil to "the very stinted parochial relief."—Alison's *Illustrations*, p. 20. See also *Lamond*, p. 72. Professor Smart in the Memorandum appended to the Report of the Royal Commission on Poor Laws, 1909, observes (p. 311) that the allowances were "supplemented habitually, not by relatives, but by begging." Cobbett found at Newcastle "that Scotch vagrants were regularly sent from that place back into Scotland by pass-carts."—*Tour in Scotland*, p. 95.

is not surprised to learn that the applications soon became "much less frequent than at the outset," and that even then the deacon of a district could dispose of them in a quarter of an hour a week. The poor were in fact reduced "to a habit of most mild and manageable quiescence"; and, "the business of deacon being merely to investigate the applications for relief," no attempt was made to discover destitution where it had not made itself known. The shorter the time which the twenty-five deacons found it necessary to devote to the supervision of their respective districts, the more did they elicit their pastor's applause; and Chalmers himself affords us the comforting assurance: "When the people are not misled, they do not move. If they are not previously set agog, they give little or no disturbance."[1]

The problem of pauperism could not be disposed of by driving it underground; and, great as the minister of St. John's imagined to have been the success of his scheme, he had sorrowfully to admit that it made no impression on "the public functionaries of Glasgow—men who denounced it as theory at the first, and who, after it had become experience, would not receive, would not even read, the lesson which had been so palpably set before their eyes."[2] The general public, to which Chalmers was never tired of appealing in support of his system, proved equally obtuse. The idea of a compulsory provision for the poor was undoubtedly unpopular; but it had steadily gained

[1] Chalmers's *Works*, xv. 64, 108, 122, 128, 129; xvi. 221, 224, 228, 229, 241, 248, 249, 252, 255. Alison remarked on this experiment that "there was no evidence as to the amount of destitution in the parish not admitted on the poor's roll."—*Illustrations*, p. 47.

[2] *Works*, xxi. 129.

ground ever since the progress of Dissent towards the middle of the eighteenth century had diminished the church collections; and every industrial crisis was an argument in its favour owing to the refusal of the kirk-sessions to admit their obligation to assist the unemployed. The General Assembly had just issued one of its usual apologies for the existing system when in 1840 "the brave and humane Dr. Alison," as Carlyle calls him,[1] published his *Observations on the Management of the Poor in Scotland*, in which he showed conclusively that the high death-rate from fever in the Scottish towns as compared with those of England was due to destitution, and that the upper classes in Scotland were doing much less for the relief of this evil than those of any other civilised state in Europe. Dr. Alison was under no illusion in regard to "the pure and gratuitous system of Scottish pauperism,"[2] and put aside its pictures of heroism and self-denial in humble homes with the impatient comment: "It can scarcely be maintained that the duty of the rich to the poor is performed by merely witnessing and applauding their charitable acts to one another." He had little difficulty in replying to the animadversions of Lord Pitmilly[3] and Chalmers; an association was formed to advocate his views; and it is in great measure to the effect produced by his writings that we must attribute the new Poor Law of 1845. This Act, the date of which does not come within our scope, was based on the report of a very conservative Commission—so conservative indeed that Mr. Twisleton, its only English member,

[1] *Past and Present*, People's edition, p. 3. "Human beings cannot be left to die! Scotland too, till something better come, must have a Poor Law, if Scotland is not to be a byword among the nations."—*Ibid.*

[2] Chalmers's *Works*, xv. 97.

[3] See p. 249, note 2.

dissented from its findings as "insufficient to remedy the defects which are admitted to exist"; but the establishment of a Board of Supervision, comprising the Solicitor-General, three sheriffs and three members nominated by the Crown, was in accordance with Alison's chief suggestion, that a body not elected by the ratepayers should be entrusted with the power "of enforcing the law as to adequate relief." Assessment, though not made compulsory, was indirectly encouraged. Dr. Alison had recommended that the expenditure on pauperism should be gradually enlarged from £140,000 to £800,000. In 1892, when forty-nine parishes were still unassessed, and when of course the population had largely increased, the expenditure had risen to about £842,000; and sixty poorhouses, which Alison had also advocated, were then in use.[1]

In the introduction to this work, and more fully in a previous instalment, an account has been given of the industrial awakening of Scotland—the rise of its commerce, its shipping, its agriculture and its manufactures—in the latter half of the eighteenth century. The movement then initiated had lost none of its vigour; but we have seen something of its effect on political and social life, and need not concern ourselves further with the progress on familiar lines which was the outcome of mechanical invention. In at least one northern district, however, the awakening as late as 1812 had yet to take place; and to this quarter we must now turn.

No tract of country so isolated and so backward as Sutherland was to be found on the Scottish mainland.

[1] Alison's *Observations*, pp. 173-178; Lamond's *Poor Laws*, pp. 58, 71, 111; Nicholls, p. 165; Sir Archibald Alison's *Autobiography*, i. 457-462. Dr. Alison was the brother of Sir Archibald.

It had no roads and was approached from Inverness by a grassy track along the coast, frequently impassable, and intersected by four dangerous estuaries—the Beauly Firth, the Cromarty Firth, the Dornoch Firth and Loch Fleet—which could be crossed only in open boats, and, except in the first case, were unprovided with piers. The whole county, though cut up on all hands by rivers and torrents, had only one bridge. So much of it—about two-thirds—belonged to the earldom of Sutherland, and so much of the remainder to the barony of Reay, that the electoral laws had in this case been relaxed in order to enfranchise the vassals of subject superiors. Here—and till lately throughout the Highlands—was a group of gentlemen tenants claiming kinship with the chief, who sublet the greater part of their land and relied mainly on the labour-rent exacted from this portion as a means of cultivating the rest. Only these superior tenants had leases and were consequently called "tacksmen," and there were sometimes two and even three gradations of sub-tenants. The main object of this system, with its personal services and excessive sub-division, was to furnish and to mould as many men as possible for the clan and subsequently for the Sutherland Regiment; and population, content with the lowest standard of comfort, pressed too hard on primitive methods of cattle-breeding and tillage to be secure against famine. In 1800 the Sutherland Highlanders, hitherto a Fencible Corps, were included in the Line as the Ninety-Third Foot. Its officers, when they retired on half-pay, had no longer the same claim to be provided for as tacksmen; and it was probably as the result of this change that many of the sub-tenants were brought into direct relation with their landlord, whose claim to personal service was more modest and

by no means so harshly enforced. Their former condition in this respect had been described by a parish minister as little better than that of West Indian slaves.

The seventeenth and last Earl of Sutherland died in 1766. His wife, who was the sister of Lady Glenorchy,[1] had predeceased him by only a few days, and the sole survivor of the marriage was an infant daughter who became Countess of Sutherland in her own right. Earl Gower, to whom the Countess was married in 1785, was heir to the estates of his uncle, the Duke of Bridgewater, and to the title and estates of his father, the Marquis of Stafford; and, when both of these expectations had been realised in 1803, Charles Greville, the diarist, described him as "a leviathan of wealth." In the same year the roadless condition of the Highlands attracted the attention of Parliament, which appointed a Commission to open up the country, and offered to defray half of the cost. An inclination to works of public utility was to be expected of one who had inherited from its originator the Bridgewater Canal; and it was reserved for Lord Stafford to complete a group of men, such as Cockburn of Ormiston, Barclay of Ury, Lord Kames and Lord Gardenstone,[2] who are associated in their several districts with the modernisation of Scotland. He co-operated zealously with his wife and other northern proprietors in a comprehensive scheme of road-making which was carried out under the supervision of Telford, the well-known engineer. A beginning was made as far south as Dunkeld, which is indebted to Telford for its noble bridge over the Tay, and as late as 1812 Sutherland

[1] See p. 52.

[2] See *The Awakening of Scotland*, p. 281.

was still almost roadless; but, at the death of Lord Stafford—whom Lord Grey's Government had recently created Duke of Sutherland—in 1833, there were 450 miles of good road in the county and no fewer than 134 bridges. The highway from the south had been carried over the three firths and Loch Fleet; and communication by mail coach between Inverness and Thurso had been established in 1819.[1]

These achievements removed the chief obstacle to a development of the Sutherland property; but the Marquis of Stafford was occupied for several years after his accession to the title with the improvement of his English estates; and in the introduction of sheep-farming, which was then becoming general in the Highlands, he was anticipated by almost all his neighbours, and especially by Lord Reay, whose great domain in the north-west—second only to that of the Marchioness—he was subsequently to acquire by purchase. The first steps authorised by him in this direction were taken in 1807; but it was not till 1819 and 1820 that a great "clearance" was effected,[2] in accordance with the resolution which had been urged upon

[1] Loch's *Memoir of George Granville, late Duke of Sutherland*; Smiles's *Lives of the Engineers*, vol. ii.

[2] We are concerned here with the results of the "Sutherland clearances," not with their method; but it may be mentioned that the notoriety they have acquired arose mainly out of the small clearance—twenty-seven tenants and one squatter—effected in 1814, and was due to two things: (1) a personal quarrel between Patrick Sellar, the under-factor, and M'Kid, the sheriff-substitute, whom he had thrice reported for poaching, and (2) the complexion given to the whole affair by the dispossessed tacksmen and their military friends in London. Sellar was brought to trial at Inverness in 1816 for "culpable homicide, real injury and oppression." All the charges were withdrawn by the prosecution except two, and on these he was unanimously acquitted. The sheriff-substitute, who had refused to admit him to bail, resigned his office, and confessed in a letter of apology

him by one manager and confirmed by his successor—"the resolution of dispossessing the middlemen, removing the people nearer to the sea-shore and putting the mountains under Cheviot sheep." The grounds alleged for this policy were that there were great tracts of fine grass, accessible to sheep, but not to cattle; that the aborigines were too numerous and too unskilled to be employed in sheep-farming, which, moreover, required the ground occupied by their huts; and that they should, therefore, betake themselves to a source of wealth which had been as much neglected as the alpine pasture—the catching of fish. To uproot a primitive people and to force upon them a change both of residence and of occupation can never have been an easy or an agreeable task; and the men whom Lord Reay removed from their upland farms in the parish of Tongue served a rough and perilous apprenticeship to fishing on the north coast, where there were none but natural harbours and the country was still "inaccessible from want of

that the statements he had collected to Sellar's prejudice amongst the evicted tenants "were to such an extent exaggerations as to amount to absolute falsehoods." So the matter stood till Donald Macleod, a professed eyewitness, published certain letters in 1840. In these letters the Celtic imagination fairly runs riot. Their charges against Sellar were just those which had been disposed of at the trial; but they were eagerly accepted by Hugh Miller as a means of assailing the second Duke of Sutherland for his refusal to grant building sites to the Free Church. Sellar was subsequently one of the largest sheep-farmers on the Sutherland estate. See the admirable defence of him by his son, Thomas, published in 1883. —*The Sutherland Evictions of* 1814. Though the military value of the Highlands had long since declined with the power of the chiefs, the idea that the clearances had depopulated a recruiting area for the army, of which General Stewart was the chief exponent, made them very unpopular in England; but there was no reason why the peasantry—except that they were more prosperous—should not have enlisted as readily from the coast as they had ever done from the glens, and in point of fact the population of the Highlands continued to increase.—*Edinburgh Review*, cvi. 488.

roads to enterprising curers."[1] The Staffords had the means as well as the desire to make a more liberal provision for their evicted tenants; and the removal of these people to the east coast took place at a time when the engineering triumphs of Telford had placed them within easy reach of Inverness, and when also the prospects opened to them as fishermen were unusually bright.

The great shoals of herring which frequented the coasts of Caithness and Sutherland had hitherto been turned to but little account, the inhabitants of this district having been unable to benefit from the efforts which were made in the middle of the previous century to encourage the building of "busses" or deep-sea smacks.[2] The buss-fishery required capital, the bounty on construction being limited to vessels of about sixty tons; and the vexatious terms of its exemption from the salt-duty were an additional source of expense. Nevertheless, the basis of future prosperity had already been laid at Wick, or rather at the creek of Staxigoe, two miles distant from that town, where an establishment had been formed by certain fish-curers from the Orkneys and Aberdeen. The craft they employed were hired from the Moray Firth, and the only boats belonging to Wick are said to have been owned by shopkeepers and mechanics; but in 1805 Telford was employed to erect a bridge over the River Wick; and on the further bank, three years later, he built a harbour, which was completed by the addition of an outer breakwater in 1824. From this period Wick rose rapidly to its present pre-eminence as "the herring metropolis." During the next twenty years the average annual catch amounted

[1] *New Statistical Account*, xv. 186.

[2] See *The Awakening of Scotland*, p. 260.

to 88,000 barrels. Of 765 boats at work in 1840, 428 had been built at Wick, and employment was afforded afloat and on shore during the herring season to about 8000 persons.[1]

Caithness, which in the main was a Lowland and not a Highland county, had never suffered from the gloom and stagnation which till lately had enveloped Sutherland; but the rise of Wick re-invigorated its industrial spirit and was felt as a stimulus to exertion amongst the amphibious settlers who now studded the Sutherland coast. Nothing was omitted that benevolence could suggest or that wealth could supply to reconcile them to their new life. In 1814, the year in which one of the earlier clearances took place, two firms of fish-curers were assisted to establish a herring fishery of twenty boats at the mouth of the river Helmsdale; and at this spot, where till 1811 there had not been a single house, was founded the town of Helmsdale. Lord Stafford, who had built the two original curing yards and was building the town itself, constructed a pier and breastwork in 1818; and in the six years, 1814-1819, the number of boats increased from 20 to 204 and their crews from 80 to 1020. The population of the parish of Kildonan was reduced by the great clearance of 1819-1820 from about 1600 to 565; but most of the evicted tenants were to be found at Helmsdale, which was only two miles distant from its southern limit. At Brora, where coal had been discovered, more varied, if less extensive, works had already been

[1] Smiles's *Lives of the Engineers*, ii. 391; *New Statistical Account*, xv. 151; *Edinburgh Review*, cxli. Wick and other harbours benefited from the Forfeited Estates Fund—a fund of £90,000 which had accumulated from repayments made by the Jacobite landowners whose estates were restored in 1784. A loan of £50,000 from this fund for completing the Caledonian Canal had recently been repaid.

begun ; and here the deported dalesmen were encouraged to train themselves, not only as fishers, but as colliers, quarrymen, boat-builders, salt, brick and lime workers, and brewers. Equal care was taken to foster the cod-fishing on the west and north coasts. In Assynt " the young men from the hills," instructed by a boat's crew from Fraserburgh, had taken to this calling with an alacrity " such as no person could have anticipated " ; and in Strathnaver they contrived in their first season to capture 21,000 cod and ling. In all these districts prizes were offered to the people for skill and daring in fishing, and also for neatness in the building of cottages. These were of stone and much superior to the turf cabins, the common habitation of man and beast, which had sheltered them in the interior and were described by a not unfriendly critic[1] as " looking like gigantic fungi that had grown out of the filth by which they were surrounded." In their capacity of crofters the evicted tenants were equally encouraged. Personal services were abolished ; land was reclaimed ; sledges gave place to carts ; and ploughs, constructed by native mechanics, were soon everywhere in use. Golspie, which comprised Dunrobin Castle, was no doubt the most highly developed of the Sutherland parishes ; but the words used by its minister in 1845 were applicable, with little qualification, to all the rest : " A simple account of the improvements in this parish must have the appearance of exaggeration . . . Every farm, every building, every piece of road, presents an instance of the greatest improvement." From a statement made in the House of Commons it

[1] Russel of the *Scotsman*, who thought the clearances " a scandal to the laws," but had no doubt as to " the humanity and even the self-sacrificing liberality " with which they had been carried out in Sutherland. See his article in the *Edinburgh Review*, lxxxvi. 500.

appears that from 1811 to the death of the first Duke in 1833 the whole income of the Sutherland estates had been spent on the property, and, in addition, a sum of £60,000.[1]

[1] Loch's *Account of the Improvements on the Estates of the Marquis of Stafford*, pp. 126-130, 136-141, 159-165; *New Statistical Account*, xv. 8, 38, 51, 80, 147, 160, 204; Hansard, 3rd series, lxxxi. 413. In the Crofter Commission Report, 1884, there is a comparison of the state of the Highland peasantry before and after their removal. Poverty and privation had always prevailed in the Highlands, and in earlier times these evils had been ascribed to the lawless and predatory habits of the people. "In those days the doctrine was that the Highlands would have flourished had it not been for the Highlanders. In the present day the doctrine is that the Highlands cannot flourish for *want* of Highlanders."—*Edinburgh Review*, cvi. 472.

CHAPTER VII

THE RELIGIOUS REACTION, 1813-1838

THE period which culminated politically in 1832 with the passing of the Reform Bill was also a religious epoch, and its maturity in this respect had not yet been reached. "Everything in the empire," wrote Cockburn, five years later, "is tinged for the present with church."[1] We are now to resume the thread of ecclesiastical history; and, before embarking on this theme, it will be well to consider how it was that an atmosphere had been created so favourable to spiritual concerns.

Wesley and Whitefield were, as we have seen, the pioneers of this movement. The agencies they had set at work were confined mainly to the mass of the people; but the French Revolution, inimical as it was to the spread of Evangelicalism in this its original sphere, furnished an argument which had hitherto been wanting for its encouragement by the upper class. When peasants and artisans were found to be imbibing the infidelity as well as the republicanism of Paine, orthodoxy came again into fashion; Wilberforce did much to commend it as a rule of conduct as well as of faith; and from this period religion became a factor of more

[1] *Journal*, i. 136.

importance in the national life than it had been since the days of Cromwell. Its influence, which was equally conspicuous on the Continent, increased rapidly after the Peace, partly no doubt owing to the revival of popular discontent, but chiefly, one may suppose, because the generation which had grown up under it was then entering on manhood; and it has been said that "never since the Middle Ages has such an array of genius, talent, learning and self-devotion enlisted itself in the service of the English Church as during the quarter century which followed the great war." The Scottish Church was not equally fortunate, but the number of students preparing for its ministry in 1822 was the greatest on record and is said to have constituted an "enormous glut."[1] Earl Stanhope, the historian, himself an embodiment of this spirit, tells us of a Lord Lieutenant who, when he came of age, knew of only two landed proprietors in his county who had family prayers and in 1850 could barely reckon two who had not. "Devotion," wrote Cockburn in 1837, "has changed its place and gone to the higher ranks."[2] Church building was an object of solicitude both to the Government and to private individuals; and it has been calculated that between 1818 and 1833 a sum of at least six millions was devoted to this purpose.[3] A belief in the near approach of the Second Advent was a feature of these times as it had been of the Crusades and, to

[1] Chalmers's *Reply to the Dean of Faculty*, 1839, p. 66.

[2] *Journal*, i. 93. At the general election of 1837 a Scottish burgh member, more faithful than complimentary to the spirit of the age, is said to have declared that "they must have a religious man, though they should have to go to —— for him, intimating the name of a place which it is not considered decorous to print."—*Scotsman*, January 26, 1839.

[3] Warre Cornish's *History of the English Church in the Nineteenth Century*, i. 81.

some extent, of the Puritan Revolution. Occupying minds so far apart as those of Edward Irving and Dr. Arnold, it is said to have been discussed in every drawing room; and the degree of its imminence was determined by a study of the Apocalypse in relation to a contemporary question—the question whether Antichrist had already been overthrown in the person of Napoleon or whether he had still to be disposed of as incarnated in the Pope.[1]

Much of the pietism which pervaded public life was undoubtedly sincere, but it retained enough of its political origin to be a mark of distinction between Tories and Whigs. The Whigs maintained that the French Revolution, with all its excesses and defects, was a great epoch in human progress; they sympathised with, or at least condoned, the aftermath of its ideas which had sprung up since the Peace; and they protested against all attempts to intimidate or repress opinion. Moreover, they favoured the claims put forward by both Catholics and Dissenters, and could therefore be denounced as unfriendly to the Church. The inference drawn from these indications of policy was not unwarranted, for both in politics and in literature orthodox Whigs were rarer and less conspicuous than orthodox Tories; and the *Edinburgh Review*, though it could not justly be accused of shocking religious susceptibilities, was continually wounding them by the reticence and latent sarcasm of its tone. *Blackwood's Magazine* endeavoured to correct this fault, and in 1818 it initiated a series of letters to supporters of the *Review*, of which, however, the only one that appeared was addressed to Dr. Chalmers. This divine, whose Tory sympathies had not deterred him from contributing an article on pauperism, was asked how he could "condescend to cater for that

[1] Benn's *History of English Rationalism*, i. 219, 224, 329, 334.

banquet of which scoffers and infidels are the principal purveyors," and was told that such complacence on his part must impair the horror at present excited in every Christian mind by their "cold blasphemies or impious grins." Six months later, the attempt to reclaim Chalmers was followed by a general assault. Jeffrey, the editor, was acquitted of unbelief; but his publication as a whole was pronounced to be of "sceptical and too often infidel character," and its conductors were taxed with a sin which, it is to be feared, was far from vexing these unrighteous souls: "Much misery have the Edinburgh Reviewers inflicted, as they well know, on many meritorious and pious Christians."

The growth of religious feeling which characterised the early years of the nineteenth century found its fullest embodiment in the clergyman who was the object of *Blackwood's* appeal; for, overpowering as was the personality of Chalmers, it was receptive rather than creative, and was much less fitted to overrule public opinion than to reflect it with the lustre and intensity of genius. He had entered on his clerical career as a pronounced and aggressive Moderate, fired with all the literary and philosophical ambition once associated with that school and convinced that Christianity had most to fear, not from the assaults of infidelity, but "from the encroachments of an insidious and undermining fanaticism—from its false friends—from those men who disgrace the cause by their bigotry or their enthusiasm—from those who have brought religion into contempt by throwing over it the deformity of an illiberal and contracted superstition." Ordained in 1803 to the parish of Kilmany, about nine miles from St. Andrews, he had counted on retaining a mathematical assistantship in the University to which he had recently

been appointed; but the Professor, whom he had publicly rebuked for granting testimonials to students without consulting him, put an end, not unnaturally, to this expectation; and he had then the audacity to set up as a rival to his successor by opening classes of his own. Even the academical authorities, who had discountenanced this project, were constrained to acknowledge its success; but the pluralism it involved was distasteful to the lecturer's brethren of the Presbytery of Cupar, who recorded in their minutes an expression of censure. Chalmers at this period considered that "an hour or two on the Saturday evening" was enough for the preparation of his sermons; and these can hardly have been acceptable to some at least of his hearers; for we are told that he was not deterred by any fear of unpopularity "from publicly and vehemently decrying that evangelism which he then nauseated and despised," and that he even expressed from the pulpit his dislike of such devotional works as those of Newton and Baxter. He was a candidate for the Edinburgh Chair of Mathematics to which Leslie was appointed in 1805;[1] and, in reply to Professor Playfair, who had maintained that an aptitude for this science was very rare amongst the Scottish clergy and could be cultivated only at the expense of their profession, he published a pamphlet in which he asserted from his own experience "that after the satisfactory discharge of his parish duties a minister may enjoy five days in the week of uninterrupted leisure for the prosecution of any science in which his taste may dispose him to engage." In common with other ardent and generous souls, he was first attracted and then repelled by the French Revolution; and, when Napoleon threatened invasion,

[1] See p. 97.

he not only delivered the most stirring appeals to his parishioners, but obtained a double commission as chaplain and lieutenant in the St. Andrews corps of volunteers. The conversion to Evangelicalism of a nature so keenly susceptible to the spirit of the age could only be a matter of time; but the death of relatives, a long and severe illness, and the reading of Wilberforce's *Practical View* were the immediate instruments of this change. In December, 1811, we find him remarking to a friend as a sign of progress "that what I formerly nauseated in the flavour and phraseology of Methodism comes home more graciously to my heart"; and, a few weeks later, his estimate of human reason had fallen so low as to be "commented on with passion and severity" by his old friend, Dr. Charters[1] of Wilton.[2]

As in the case of Chalmers, so in that of the Church at large, Moderatism was steadily losing ground; and it was not unfitting that its final struggles for supremacy should have been fought on the question of pluralism; for this was an application, though by no means a happy one, of its central principle that there is an intellectual as well as a spiritual life, and that humanity requires for its full development the independent cultivation of both. The Evangelicals were not disposed to recognise holiness in this its original sense of *wholeness*, and they had the support of public opinion in insisting that a

[1] See *The Awakening of Scotland*, p. 214.

[2] Hanna's *Memoirs of Dr. Chalmers*, i. 66, 72, 81, 87, 91-96, 102, 147, 184, 248, 275. Dr. Chalmers's *Address to the Inhabitants of Kilmany*, published in 1815 after his translation to Glasgow, did not satisfy Evangelical critics; but, five years later, having arrived at the conclusion that "this world differs from a prison-house only in its being a more spacious receptacle for sinners," he received a certificate of soundness from the *Edinburgh Christian Instructor* (xix. 322), the leading organ of that party.

clergyman ought to have no serious interest but the saving of souls. The question which had been raised in 1800 by the presentation of Professor Arnot to the parish of Kingsbarns[1] was revived in 1813, when William Ferrie, another St. Andrews Professor, was presented to the parish of Kilconquhar. Kingsbarns is six miles from the University, but Kilconquhar is at a distance of twelve miles; and, the Presbytery of St. Andrews having refused to sanction what it regarded as a flagrant case of non-residence, Ferrie appealed to the Assembly, which decided in his favour by the small majority of five.[2] His supporters had contended that such a combination of offices as existed in this case could not be a bar to ordination so long as it was not expressly forbidden; and next year, with a view to defining the obligation of residence which was assumed to be a fundamental law, it was declared that no presentee should be deemed qualified who held any office requiring his absence from the parish and subjecting him to an authority which his Presbytery could not control. The question now arose whether this was, as it claimed to be, a mere declaratory Act or whether as a piece of new legislation it ought to have been submitted to the approval of Presbyteries; and on this point the Moderates were divided, Hill taking the latter view, and Cook, the most prominent of his younger followers, the former. The Assembly of 1815 resolved not to consult the Presbyteries, but in the following year, though Cook's election as Moderator did not preclude him from taking

[1] See p. 90.

[2] Unlike most pluralists, Ferrie found his pulpit more congenial than his chair, and Chalmers characterised him as "the best minister in Fife and the worst Professor." The present church—a conspicuous landmark—was built through his exertions in 1820.—*Fasti*, iv. 438.

part in the debate, this decision was reversed; and in 1817, with the approval of a majority of Presbyteries, it was enacted that a Professor should be debarred from holding any parochial charge not situated within the University city or its suburbs.[1]

It may be thought that there could be little practical difference between a declaratory and a legislative Act; but Chalmers was of opinion that the law of 1817 exceeded its purpose and carried with it "a sanction, little short of an express pronouncement, in favour of another set of pluralities"[2]—the union of academical and parochial functions in the same city, which had hitherto depended only on usage; and yet it was mainly at his suggestion that, when Principal Macfarlane was appointed in 1823 to the Cathedral parish of Glasgow, the Presbytery found him disqualified. When we consider how Chalmers had interpreted the Act of 1817, and the fact that Macfarlane's predecessor had been permitted without protest to hold the same two offices for twenty years, there can be little doubt that the Presbytery, and the Synod which confirmed its decision, had exceeded their powers; and this view was emphatically expressed in the Assembly of 1824, which decided in favour of the presentee by a majority of more than two to one. The public, however, had made up its mind on the question of pluralism, and cared no more for the legal aspect of the case than Chalmers himself, who was fond of expressing his contempt for "the palaverments of law," and in the Assembly of 1814 had exhorted his brethren to keep by the Bible, which he called "their own statute-book, and manfully to withstand the darkening and misleading authority

[1] *Acts of Assembly*, 1813-1817; *Scots Magazine*, 1816.

[2] Hanna, ii. 68.

of others."[1] The Arnot case of 1801 had, as we have seen, excited great interest, and the religious temperature was now at a still higher level. The opening of the Assembly on May 25, 1824, the day fixed for the hearing of Principal Macfarlane's appeal, was awaited by a large crowd. When the doors were opened "a tremendous rush took place," and so many members and other clergymen were unable to gain admission that the galleries had to be cleared, and all strangers, except ladies, were required to withdraw. "This order," we are told, "was executed with the greatest difficulty. Many of those above tried to conceal themselves beneath the seats, and the endeavours made by the police officers to start them produced a vast deal of amusement."[2]

Defeated in their endeavour to override the obstacle in their path, the Antipluralists now applied themselves to the legitimate task of having it legally removed; and thirteen overtures, framed in accordance with their views, were presented to the Assembly of 1825. Chalmers was again their foremost speaker—the most eloquent and the least judicious. Always engrossed with the object immediately in view, he had now wrought himself up to the conviction that the recent enactment had been a positive mistake. It had precluded over nine hundred ministers from aspiring to University posts, but had authorised this ambition in the case of forty-six ministers resident in Edinburgh, Glasgow, St. Andrews and Aberdeen; and he stated frankly that in his opinion a non-resident country minister was a lesser evil than a minister who could not give his whole attention to a city charge. "You have pursued a strange mode of

[1] Hanna, i. 401; ii. 68. We shall see the results of such teaching in the next chapter.

[2] *Scotsman*, 1824, p. 330. Much the same scene had occurred in 1816.

spiritual husbandry; you have placed your keepers and your scarecrows to prevent the pigeons and jackdaws from lighting on your potato-fields, while in your garden culture you have established nurseries of deleterious weeds." One speaker suggested that the eloquence of Chalmers hardly "fitted him for the office of legislator or judge"; and the oratorical bubble was effectually pricked by another, who pointed out that the Chair of Divinity at Edinburgh yielded only £150 a year[1] and asked whether a clergyman of the first rank, whose living might be worth £800 a year, was likely to be attracted by such a prize. Chalmers was forced to alter his motion in order to provide for a suspension of the proposed law till the theological faculties should be better endowed, and in this form it was rejected by 144 votes to 118.[2]

That Moderatism was assimilating the Evangelical spirit had been made manifest in the preceding Assembly —that of 1824, when Dr. Inglis, who had succeeded Hill, as its leader, introduced and carried a motion that the Church should establish a mission in India. In the course of his speech he referred to the failure of a similar proposal in 1796;[3] and, whilst endorsing the objection then made, that secular must precede religious education, he maintained that, owing to the opening of colleges and schools in India, this condition had now been fulfilled. "A barbarous people were wedded to their

[1] The actual emoluments in 1828 were £196.—Hanna, iv. 8.

[2] *Scotsman*, 1825, p. 338. Of a thousand incumbents, only some thirteen were pluralists. A Royal Commission appointed to inquire into the Scottish Universities recommended that no Principal or Professor should at the same time be minister of any parish church.—*Parl. Papers*, 1831, xii. 73. The minister of Footdoe, who died in 1838, is said to have practised as a medical man and in this way to have at least tripled a very considerable stipend.—Sage's *Memorabilia Domestica*, p. 308.

[3] See p. 77.

superstitious rites, but give them knowledge and information—open their ideas to judge in other subjects, then they first doubt and conviction follows." [1] Welcome as was the proposal of Dr. Inglis to the Evangelicals, they were much scandalised by his sentiments, one of their speakers asserting that " the Christian convert overleaps the common progress of society—rises at once from infancy to manhood, and makes the advance of centuries at a single step " ;[2] but those of them who lived to hear the address in which Dr. Duff, the Church's Indian Missionary, related his experiences to the Assembly of 1835, must have learned to their surprise that the Moderate leader had been wiser than his critics. Commenting on the fact that learning in India was a bulwark of the native religion, Dr. Duff said : " If you only impart ordinary useful knowledge, you thereby demolish what by its people is regarded as sacred " ; and he mentioned that in a college which had been founded at Calcutta for the education of Hindus in Western literature and science " apart from religion " he had obtained " his best converts." [3]

The tendency of Evangelicalism had always been to oppose itself to freedom of thought ; and a controversy arose in 1825 which showed that in this respect its influence was even more unfortunate in Scotland, or rather in the Scottish Church, than in England. When the British and Foreign Bible Society was formed in London in 1804, it seems not to have occurred to its founders that it would be called upon to circulate any but the Authorised Version ; but the demand for a less exclusive text was made as soon as it extended its operation to foreign countries, and was complied with

[1] *Scotsman*, 1824, p. 343. [2] *Edinburgh Christian Instructor*, xxiii. 486.
[3] Duff's *Church of Scotland India Mission*, pp. 6-10.

after 1813, first by the auxiliary societies which were assisted out of its funds, and then by the Society itself. The subscribers were not generally aware of this concession; but in August, 1821, Robert Haldane called at the offices in Earl Street and had the good fortune to leave his umbrella; for "it was to this *accident* that he was wont reverentially to trace the part he took" as a champion of "the sacred canon." Returning to claim his umbrella, he made the unexpected discovery that the Apocrypha was being circulated in France, and at once exerted himself to put a stop to this practice. Foreigners who wanted translations of the Bible were naturally anxious to have as much of it as was accepted by their various Churches; but, whilst many of the Evangelicals sympathised with this demand, the majority were opposed to it; and during the next four years the London Committee spent much of its time in passing and rescinding anti-Apocryphal resolutions, according as one or the other party prevailed in Earl Street. In 1825 the Edinburgh Bible Society issued a formal remonstrance against the circulation of the Apocrypha; and the London Committee replied by printing a protest in its favour which they had received from twenty-six members of the Cambridge University Senate, including Simeon and Henry Venn. Haldane in that year published the first of two pamphlets; and, finding that his views were more popular in the Church than amongst his fellow Dissenters, he induced the Edinburgh Bible Society to elect Dr. Andrew Mitchell Thomson, the leader of the Evangelicals, as its Secretary. Thomson conducted the controversy in a manner which added greatly to its heat; and he had a blunt, but ponderous, weapon at his disposal in a magazine which he had established in 1810 and of which he was editor—the *Edinburgh Christian Instructor*.

The issues raised in the course of this discussion were much more important than the dispute itself; for men who were denounced in the most violent terms for corrupting or adding to the Hebrew canon were naturally led to inquire whether these writings were wholly or exclusively inspired. Brandram, the Secretary of the London Society, is said to have maintained that the Hebrew text was "in such a state that it was not to be considered the standard of the Old Testament and, in short, that there was no standard." In an article in the *Eclectic Review*, which was largely circulated by members of the Committee, doubts were expressed as to the authenticity of ten Books and a hundred and forty chapters of the Old Testament. The society at Strasburg were assisted from London to print a German Bible, but it appeared with an introduction, published at their own expense, in which Professor Haffner compared the early history of the Jews to the fabulous chronicles of ancient Rome, represented the Prophets as "men whom God had furnished with superior mental endowments," and referred to Ezekiel as having "a very lively imagination." The wrath of the orthodox at this proceeding was seasoned with astonishment, when Dr. Pye Smith, an eminent Nonconformist scholar, protested against Haffner being regarded as an infidel, and pronounced his essay to be in some respects "an interesting and valuable performance"—an appreciation which Dr. Carson, a well-known Baptist minister and controversialist, characterised as "one of the most detestable productions" he had ever seen from a Christian pen.[1] The *Christian Observer*, a magazine conducted by English

[1] "It is because they have mistaken the dawn for a conflagration that theologians have so often been foes of light."—Dean Farrar, quoted in White's *Warfare of Science with Theology*, i. 270.

Evangelical Churchmen, was opposed to the circulation of the Apocrypha, but declared that it objected "quite as strongly" to the manner in which the controversy was conducted by the Edinburgh Society and, in particular, by Dr. Thomson. According to this writer, the Committee of the British and Foreign Bible Society was "rotten at the very core in all that regards the purity and integrity of God's Holy Word"; it had vented or encouraged "as many heresies, contradictions, follies and falsehoods as might cover a whole kingdom with disgrace"; and Earl Street was "that haunt of Bible corruption," the atmosphere of which one could breathe only at the peril of one's faith.[1]

It would have been well for the peace and unity of the Church if the writer of these words had confined himself to the defence of orthodoxy in this its characteristic temper; but Thomson favoured a more militant type of Evangelicalism than that which was then in vogue, and was constantly displaying to his followers the symbols of ancient strife. The revival of Evangelicalism in the middle of the eighteenth century had been inspired from England, where ecclesiastical as opposed to doctrinal disputes were comparatively unknown, and, apart from its rigid Calvinism, it had never been in harmony with Scottish Evangelical tradition. We have seen that Whitefield had inculcated the essence of religion at the expense of its outward forms, that under his influence opponents of patronage had relaxed

[1] *Memoirs of the Haldanes*, pp. 491-534; *Christian Observer*, xxviii. 48; *Christian Instructor*, xxviii. 147, 284; *John Campbell, Esq. of Carbrook, Called to Account by the Rev. Dr. Thomson*, p. 16. The *Instructor* was no less prolix than virulent. In the number for April, 1829, eight full pages of small print are devoted to a discussion of the measure of applause with which a certain Apocryphist utterance was received in Earl Street.—xxxiii. 284-292.

their efforts and Covenanters had waxed cold, and, in short, that we must concur with the Moderate divine who attributed to Whitefield "the introduction and the more rapid progress of a Catholic spirit."[1] Behind all this liberality, however, there still loomed the phantom of a theocratic past; and we have found traces of its attraction even in so typical a Moderate as Principal Hill.[2]

No small importance must be assigned in this connexion to the publication in 1811 of M'Crie's *Life of Knox* and in 1819 of his *Life of Andrew Melville*—works replete with that thorough and exact scholarship which may almost entitle an author to the privilege of bias and the only works in which the infancy of the Reformed Church had yet been completely treated from the Ultra-Presbyterian standpoint. Both these books were reviewed with warm approval in the *Instructor*, which called them "the Iliad and the Odyssey of the Scottish Church"; and it is characteristic of this organ that, contrary to the popular verdict, it found the "Presbyterian champion" more interesting than the "Protestant Reformer." If Thomson was not the reviewer, he was at least in sympathy with him; for both in his magazine and in his public career he lost no opportunity of imitating Melville as the advocate of spiritual independence. On the death of the Princess Charlotte in November, 1817, the minister of St. George's was the only clergyman of the Church in Edinburgh, and almost the only one of any denomination, who refused to comply with a royal proclamation directing that services should be held on the day of her burial; and, though he had a wholesome repugnance to funeral sermons on account of "their tendency to degenerate into

[1] See p. 46. [2] See p. 104.

sycophantic eulogy," we may be sure that the proclamation was his chief ground of offence; for, three years later, when the accession of George IV. had necessitated a change in the form of prayer for the Royal Family, he moved that the Assembly should record its disapproval of the Order in Council transmitted on this occasion as an encroachment of the civil power.[1] Such Orders had long been issued and received as a mere matter of form; but Thomson enlarged on the insidious growth of precedent and argued rather sophistically "that there was far greater danger where there was mere mistake or inadvertency than where there was a real and obvious design." On one occasion in 1824, when the Commissioner had retired owing to indisposition, the Assembly suspended its business for the day; and the *Instructor*, which maintained that Assemblies could lawfully be held without the appointment, much less the presence, of a representative of the King, described this "as a piece of as useless servility and as gratuitous degradation as we ever witnessed or as could easily be practised."[2]

The Seceders were no less devoted than Thomson to the principle of spiritual independence, but, unlike him, they had discovered the impossibility of maintaining it on its historical basis. We have seen that in 1796 the two sections of this body, the Burghers and the Anti-burghers, had concurred in what was practically, if not formally, a renunciation of the Covenant; and, twenty-four years later, the tendency thus recognised reached

[1] The Order mentioned only "his Most Sacred Majesty King George and all the Royal Family"; and some ministers gave great offence by praying expressly for the Queen.—*Instructor*, xix. 261.

[2] *Instructor*, v. 105; xix. 368-396; xxiii. 451, 773; Cockburn's *Memorials*, p. 290.

its natural culmination in a re-union of the Secession Church. In 1820, however, as in 1796, there was on both sides an irreconcilable remnant; and these groups did not long remain isolated—the Antiburghers joining their predecessors, whose leader was Dr. M'Crie, in 1827, and the Burghers—except some who went over to the Antiburgher camp—returning to the Church in 1839. The basis of Union, which was opposed mainly on the ground that it involved a definitive separation from "the covenanting Church of Scotland," confirmed the Westminster Confession and the Catechism, with the exception of any passages that "may be thought to teach compulsory or persecuting and intolerant principles of religion"; and, whilst professing "an unfeigned veneration for our reforming ancestors," it declared that an acceptance of the Covenant "shall not be required of any in order to church communion." Significant as it was, the letter of the Union was far from doing justice to its spirit, for the original proposal—to which many, if not most, of the Seceders were favourable—had been for "a general union of the various denominations of Dissenters throughout Britain."[1]

The preaching of Whitefield, unfavourable as it was to ecclesiastical distinctions, had naturally tended to bring together Churchmen and Dissenters; and the impression he had produced was deepened before the close of the eighteenth century by the rise of religious propagandism and the formation of missionary societies which were not confined to any one Church or sect. But the comprehensiveness which had once characterised the movement was no longer maintained. As the Evangelicals advanced steadily in numbers and reputation, and as every year made it more manifest that the

[1] M'Kerrow, ii. 402-407; Struthers, p. 448.

period of their subjection to Moderatism would soon be at an end, we are told that "they gradually became shyer of acting along with Dissenters and would scarcely appear with them on a platform, unless they got the leading motions." Something of this spirit is said to have entered into the current Biblical dispute; for, whilst nearly all the Dissenters were loyal to the parent Society in London, nearly all the Churchmen were on the Edinburgh or Anti-Apocryphal side; and this cleavage was attributed in some measure to a desire on the part of the latter to uphold the dignity and independence of the National Church.[1]

It was a grievance of the Dissenters which such pretensions could not fail to aggravate that they had to support the town ministers of the Establishment as well as their own. The stipend paid to an incumbent by the town council was derived partly from what it received in seat-rents; but in several towns, and notably in Edinburgh, the greater portion was raised by a particular tax. In 1633 the Privy Council of Charles I. had decreed that the householders of Edinburgh should contribute in proportion to their rents an annuity of 10,000 merks "for part payment of the ministers' stipends"; and the reason assigned for this imposition was one which the Dissenters now urged as an argument for their relief—that he "who hears the Word and receives the benefit of the Church ought to pay for the same." When the tax was re-imposed at the Restoration, an exemption which had been granted to members of the College of Justice was withdrawn; but the Court of Session, including the Bench, the Bar and the whole body of Writers or Solicitors, recovered this privilege in 1687; and after 1788, when they obtained a similar

[1] Struthers, pp. 451, 452.

exemption in regard to poor-rates,[1] it was calculated that the wealthiest class in Edinburgh were relieved of a burden amounting to 13 per cent. of their house-rental. Apart, however, from this social injustice, the Annuity Tax had always been resisted by whatever religious body happened to be in opposition to the Establishment—by the Presbyterians under Charles I. and II., by the sectaries during the Interregnum, and by the Episcopalians and other Nonconformists after the Revolution. In 1809 it was extended by statute to the New Town; and the clergy were accused of having "smuggled" into the Act a clause which enlarged its benefit from the original six ministers to the whole existing seventeen. Up to 1820 they had received fixed salaries paid out of the general municipal funds; but in that year they obtained an exclusive right to the Annuity Tax, and in 1825 a factor was appointed to collect it on their behalf. This official spared no effort to recover the large arrears which he had found to be due. In 1833, when, as we shall see, there was acute antagonism between the Church and Dissent, no fewer than 768 persons were prosecuted for non-payment; and the public was so much in sympathy with the recusants that purchasers could not be found for their goods when exposed for sale. Several of them were imprisoned, and, after a few days' detention in the Calton Jail, were escorted to their homes by an admiring crowd.[2]

The course of politics was another and a potent factor in the development of this quarrel. Whiggism had once been a bond of union between Evangelicals and Dissenters; but the spirit of reform was threatening

[1] See p. 249.

[2] Duncan M'Laren's *History of the Resistance to the Annuity Tax*, 3rd edition, 1836; Mackie's *Life of Duncan M'Laren*, pp. 178-184; Hanna's *Chalmers*, iii. 424-433.

both religious and political institutions; and now that the Evangelicals had acquired more of a proprietary interest in the Church, most of them, including Chalmers, were Tories. In his attitude towards the removal of religious disabilities Chalmers set a wholesome example. The repeal of the Test and Corporation Acts did not affect Scotland, but it affected Scotsmen in so far as they aspired to public office in England, and affected them in a manner against which the Assembly had protested in 1790;[1] and yet, when Chalmers proposed that the Assembly of 1828 should express its appreciation of this measure in its reply to the King's letter, a large majority of the members refused to meddle with what they professed to regard as an alien, political and controversial theme. The resentment aroused amongst the Dissenters by the tone and the result of this debate was intensified when the Bill to repeal the Catholic disabilities was brought in by Wellington and Peel. The Scottish populace was by no means so anti-Catholic as it had been in 1778;[2] but it was still sufficiently hostile; and it says much for the courage as well as for the enlightenment of the Nonconformist ministers that they were all but unanimous in befriending a measure to which their congregations were strongly opposed. A great meeting in support of the Government was held at Edinburgh on March 11, 1829. It was addressed with all his usual eloquence by Chalmers, and in a letter, which was as good or at least as long as a speech, by Thomson; but, with these and other less notable exceptions, the Established clergy were opposed to Emancipation, and some of them did not scruple to denounce the liberalism of their Dissenting brethren. The Reform Bill was, of course, a purely political

[1] See *The Awakening of Scotland*, p. 184. [2] *Ibid.* p. 78.

measure; but, with sympathy on the one side and antipathy on the other, it must necessarily have widened the chasm between the Dissenters and the Church; and this effect was increased when Lord Grey's Government in 1833 inaugurated what was supposed to be an anti-Establishment policy by reducing the number of Protestant bishoprics in Ireland, and when Melbourne in 1836 proposed to appropriate for other than ecclesiastical purposes the surplus of Irish tithes. In this year Chalmers wrote at the request of the Conservative candidate for Argyllshire to express his abhorrence of the appropriation clause; and, in reply to attacks on his intervention in politics as "outrageously disgraceful," he evinced his contempt for "the ferocity and falsehood of all the Liberal newspapers." In 1837 Dr. Macleod, the Moderator of the Church, published a letter in which he affirmed that all the clergy, a very few individuals excepted, "have ranged themselves on the Conservative side of politics." Macleod himself and forty-four of his brethren attended a banquet in Edinburgh to Sir Robert Peel, and he claimed, "that there are not six clergymen in our Church who are disposed to blame us for having done so."[1]

The agitation for reform had, however, a much wider range than the provisions of the Bill; and it was inevitable under the conditions which have just been described that it should be felt, in Scotland as well as in Ireland, within the ecclesiastical sphere. The great majority of the Dissenters were now convinced that

[1] Struthers, pp. 450, 454, 456; Hanna, iv. 24; *Scotsman*, 1828, p. 345; 1829, p. 169, and June 3, 1837. A deputation from the Church of Scotland in 1836 was unofficially informed that the Government regarded Chalmers "as their political enemy" and would rather not meet him. Melbourne, it seems, had had enough of "that d—d fellow Chalmers."—Hanna, iv. 23, 118.

the ideal of spiritual independence, which their predecessors had claimed for the Scottish Church, could not be realised in alliance with the State ; and we have seen that several of them, before the close of the previous century, had advocated this view.[1] The same principle was asserted in 1824 by John Ballantyne, a minister of the United Secession ; but his pamphlet attracted little attention till it was re-issued, under more favourable auspices, in 1830. In 1829 Andrew Marshall, another Secession minister, published a sermon in which he argued that the Catholics, whose disabilities had just been removed, would soon demand an Establishment in Ireland, and that on the principles recognised by Churchmen their claim could not logically be refused. His sermon went at once into a second edition, and, in reply to a review in the *Instructor*, he published a pamphlet to which the reviewer replied. A controversy was thus kindled which Marshall and numerous other writers, his friends and opponents, fanned into a blaze.[2] In the autumn of 1832, after the passing of the Reform Bill, a Voluntary Church Association was founded at Edinburgh ; branches were formed in all the considerable towns ; and a public meeting, promoted by the Association in favour of Disestablishment, was held at Edinburgh towards the end of 1833, and resulted in the presentation of a memorial to Earl Grey. Great activity prevailed at Glasgow, where a magazine was launched under the editorship of Marshall to advocate the cause, and a petition, similar to that of Edinburgh, was signed by 43,000 persons. The movement spread to Newcastle,

[1] See p. 60.

[2] "Many of the meetings were wild and fierce to an incredible degree," especially when they took the form of a public disputation.—Rainy and Mackenzie's *Life of William Cunningham, D.D.*, p. 89, and *Autobiography of Thomas Guthrie, D.D.*, i. 166.

and thence throughout England. The Congregational Union and a meeting of delegates summoned by the United Committee of Dissenters concurred in a resolution demanding "a full and complete severance of Church and State"; and in 1834 a British Voluntary Church Society was formed in London to co-operate with the similar association in Scotland.[1]

From the Evangelical standpoint, which was common to both parties, the Voluntaries would seem to have had the better case; for, if human nature was wholly corrupt and those only were Christians who had been regenerated by an arbitrary and miraculous power, it must obviously be impossible by such legislative devices as had been adopted by the Reformers and Covenanters to create more than the semblance of a Christian state. One writer declared that a civil enactment of Christianity was no less preposterous than if a nation which comprised a few intelligent disciples of Newton should declare itself a nation of Newtonians;[2] and another asked what sort of Church that must be "which teaches pastors to distinguish their flocks by the landmarks of a parish." Starting from the same principle of human depravity, Chalmers claimed to have demolished the Free Trade position that religion ought to be regulated by supply and demand. Men, he argued, have a natural appetite for anything that ministers to the nurture or comfort of the body; but they rather nauseate than desire spiritual food; and consequently religion, whether they want it or not, must be brought within their reach.[3]

[1] *Proceedings and Speeches at the Annual Public Meeting of the Voluntary Church Association*, 1835, pp. 5-11; Marshall's *Establishments Considered*; Mackie's *Duncan M'Laren*, p. 167.

[2] Young's *Ecclesiastical Establishments opposed alike to Political Equity and Christian Law*, 1833, p. 24.

[3] *Works*, xiv. 104; xvii. 227.

Chalmers did not stop to consider that, if the irreligious could be compelled to provide for the delivery of such an article at their doors, they might on the same principle be compelled to take it in; and the Voluntaries, though they shrank in horror from a secularised Church, would have had little relish for the sort of education and of Sabbath-keeping which was logically deducible from their conception of a secularised State.

The oracle of inspiration, if not dumb on the question of ecclesiastical establishments, was—to say the least—exceedingly obscure; but both parties laboured to extort a mandate; and the sort of exegesis which was deemed legitimate for this purpose may be illustrated from a volume published by Dr. Inglis, who had led the opposition to Professor Leslie, and whom we have met as the patron of foreign missions. Inglis, though his personal appearance and his voice are said to have been much against him, had risen to the leadership of the Church in succession to Principal Hill. As a debater, in the opinion of Lord Cockburn, "he could at any moment have puffed Hill out and crushed him under his feet."[1] He was the only Moderate who took part in the controversy; and, though his sermons, according to the same authority, were superior to the "fanatical taste of the age"—so much so, indeed, that he preached to "almost bare walls"—one can hardly say as much for his *Vindication of Ecclesiastical Establishments*. It was reserved for Dr. Inglis to discover a Churchman in Melchisedek and a model Dissenter in Abraham. Arguing from the fact that the patriarchs were also priests and "must be understood as having statedly ministered each to his immediate household," he pointed out that Abraham paid tithes to Melchisedek—a priest as well

[1] *Memorials*, p. 199.

as a king—on whom he cannot have depended for "stated and ordinary ministrations"; and this "seems strongly to forbid any rash conclusion that dissenters from an established church must be exempted from all contributions to its support." Equally ingenious is his use of the second Psalm, in which "he that sitteth in the heavens" is described as mocking at the rulers of the earth who had taken counsel against him and as giving the heathen to his son for an inheritance. This, we are told, is to be interpreted prophetically as referring to the Roman Emperors whose failure as persecutors resulted in their successors being reconciled to the Church; and the reason why there was no Establishment during the first three centuries of our era is that this was the time set apart for civil rulers to learn their "lesson."[1] Moderatism had evidently shed some of its intellectual distinction in the descent from Principal Robertson to Dr. Inglis. The treatise of the latter is, however, distinguished from many similar publications by its courteous and dispassionate spirit. Chalmers, though by no means a bitter controversialist, gave great offence to the Dissenters by describing them as "sectaries," as "private adventurers" and as "our chapel undertakers." A young Edinburgh minister, then coming into notice, permitted himself to speak of "an apostate and perjured Secession";[2] and it was common for writers on this side to refer to their opponents as leagued with infidels and papists and with "desperadoes in religion of every name." On the other hand, Marshall stigmatised the Establishment as a "temple profaned by the admission of the uncircumcised and unclean"; and Ballantyne denounced the Established clergy as

[1] *Vindication of Ecclesiastical Establishments*, 1833, pp. 28, 40, 95.
[2] Rainy and Mackenzie's *Cunningham*, p. 92.

" insensate beings " whose preaching made more infidels than the secular press.

The Church did not emerge from this contest without laying itself open to a dissension which was to wound it more deeply than any external assault. We have seen that Scottish Evangelicalism under the influence brought to bear upon it from England had lost much of its antipathy to patronage, and that this antipathy was still further disarmed when patrons during the period dominated by the French Revolution began to act on the principle that, as the people could expect nothing but repression in politics, it might be well to allow them some influence in religion.[1] In 1818 Sir Henry Moncreiff, who was then the Evangelical leader, admitted that patronage was " at last completely established," that the great majority of his followers had no desire to re-open the question, and that " party distinctions can no longer be rested on the same grounds " ;[2] and, six years later, M'Crie referred to the subsidence of this controversy as one of the reasons which made it impossible for his sect to contemplate a re-union with the Church.[3] The creation of an atmosphere more consonant with Scottish Evangelical tradition was due in great measure to M'Crie himself. His *Life of Andrew Melville* recalled to its many readers a time when the jurisdiction of the Kirk had been defined with as much precision, and had been almost as jealously guarded, as its doctrine ; and his friend, Dr. Thomson, in addition to reflecting the thought and the temper of those pugnacious days in the *Edinburgh Christian Instructor*, was the founder of a society which sought to ameliorate the operation of patronage—where such

[1] See p. 113. [2] Moncreiff's *Life of Erskine*, pp. 466, 473.
[3] *Life of M'Crie*, p. 297.

an improvement was still needed—by the purchase of its rights.[1] This was an object which lost much of its importance after the passing of the Reform Bill, for the same motive which had induced a politically-minded patron to consult the aristocratic freeholders now impelled him to consult the people; but men who had just obtained the right of electing their representatives in Parliament were naturally disposed to demand that of electing their pastors; and the society founded by Thomson was converted—after his death and with little support from the clergy—into one for the abolition of patronage. Numerous petitions to this effect were presented to Parliament, and a Select Committee of the House of Commons was appointed in 1834 to inquire into the subject. Nothing, however, gave so great an impetus to the movement against patronage as the agitation for Disestablishment which has just been reviewed. Both parties to this controversy were agreed that "the great tendency of the popular mind is towards those ministrations which breathe the spirit and inculcate the principles by which the Gospel is chiefly characterised";[2] and the Churchmen had really no answer to their opponents when it was objected that there could be no security for the preaching of Evangelical doctrine so long as an individual—and one who need not even be a communicant—had the right of selecting the minister of a parish.

Even in this dilemma, however, they were not prepared to re-occupy the position which had been abandoned half a century earlier, when the attempt to find a substitute for patronage was tacitly given up; for the idea of an election by elders and Protestant heritors

[1] Hanna's *Chalmers*, iii. 349.

[2] Ballantyne's *Comparison of Established and Dissenting Churches*, p. 173.

which had then prevailed was repugnant to their religious feelings, and they were too little in sympathy with the Reform Bill to approve of an election by the people. Their object was merely to impose such a curb on the exercise of patronage as should make it innocuous both as a ground of secession and as an argument against the Church. In the Assemblies of 1832 and 1833 a motion was made—and in the latter case was defeated by only a dozen votes—that the congregation should have the right to reject, without attempting to disqualify, a presentee; and in 1834 it was carried by 184 votes to 138 that Presbyteries should be enjoined not to proceed to ordination if a majority of the parishioners who were male heads of families and communicants should intimate their dissent. At this period there were eighty-two non-parochial ministers—forty of them incumbents of churches which had been erected under a recent Act of Parliament in the Highlands and the remainder officiating in chapels of ease. As the charges of the former were endowed, the Moderates proposed and carried their admission as members of Church courts in 1833; but the Evangelicals were not content with this concession, and in 1834 the chapel ministers were admitted to the same rights. A review of these two Acts—the Veto Act and the Chapel Act—and of the protracted litigation to which they gave rise will form the concluding chapter of this work, and they are referred to here merely as proof that the religious reaction had culminated in its natural result—the overthrow of Moderatism and the establishment of an Evangelical ascendency in the Church.

The measures which established this ascendency were also to be the instruments of its fall; but various abuses of which they had long complained were removed

by the Evangelicals during their tenure of power. They rescinded the law of 1798 in regard to the licensing of chapels of ease;[1] they shortened and simplified the procedure in cases of discipline; and they completed a work which had been begun in 1816[2] by an enactment that none but acting elders, certified as such by their respective kirk-sessions, should be eligible for membership of the Assembly. If Moderatism had abused the eldership, it could also claim some credit for its reform; and it had certainly anticipated the Evangelicals in what was to prove their principal task. The need for more than one church in many of the large rural parishes had been represented to Government as early as 1817. A committee, of which Dr. Inglis was convener, was occupied during the next seven years in endeavouring to procure a grant; and in 1824, when the Church of England obtained half a million—in addition to a previous million—for church-building, an Act was passed which placed a sum of £50,000 at the disposal of Commissioners to be expended—as we have seen it was—in erecting additional places of worship in the Highlands. The Assembly then applied itself to the furtherance of education in the same district, and in 1829 could claim as the fruit of its exertions eighty-five schools and nearly seven thousand scholars. It returned to its former project—this time with special reference to large towns—in 1828, when a committee was appointed on Church Accommodation. Chalmers in 1834 became Convener of this Committee, and next year it was combined with two other kindred bodies as a committee on Church Extension. The Assembly, now dominated by the Evangelicals, had a two-fold object—to raise a fund for church-building and to procure an endowment

[1] See p. 82. [2] See p. 110.

from the State both for the newly enfranchised chapels of ease and for such additional churches as the liberality of the public should enable it to build. The prospect of success in the latter scheme had, however, been rendered problematical by the agitation in favour of Voluntaryism which was then at its height.

As the Dissenters were disputing the right of the Church to retain its original endowments, they were not like to acquiesce in its demand for more; and indeed they opposed it with such vigour that both sides were soon weltering in a mass of statistics from which it seemed equally possible to conclude that the Church was too commodious for the population and that the population was too numerous for the Church. It appeared from a return issued by the City Accountant that the Church people of Edinburgh used only 5867 out of their 14,402 seats, and that, though 3743 additional seats were let to inhabitants of Leith and the suburbs, there were still 4792 seats unlet, or, as the *Scotsman* sarcastically expressed it, "ready for the occupation of the Church Extenders"; and in Glasgow the Church admitted a vacancy of 6150 seats. Exorbitant seat-rents and too few or too undesirable free seats were cited as a sufficient reply; and the reformed Town Council of Edinburgh, which comprised a majority of Dissenters, was violently abused, though it had reduced its revenue from this source to the extent of £493.[1] Again, whilst the Voluntaries maintained that it was sufficient to provide for forty per cent. of the population, the Churchmen demanded seats for fifty or even sixty

[1] Adam Black's *The Church its own Worst Enemy*, 1835, p. 35. It was always the low-priced seats that were least readily let. In Old Greyfriars, of 216 seats at 2s. 88 per cent. were unlet, whilst of 168 at £2 only 2 per cent. were unlet.—*Scotsman*, March 11, 1835.

per cent.; and it was urged by opponents of their scheme that so little allowance was made for the accommodation available in Nonconformist chapels—much of which was also unlet—that its object must be "the annihilation of dissent." What the Churchmen wanted, however, was not so much that people should be able, as that they should wish, to attend religious services; and this was the great object of Chalmers, who, as we have seen, was appointed Convener of the Church Accommodation or Extension Committee in 1834 and through whose exertions the public was induced in a single year to contribute £67,000. He hoped to put an end to irreligion as well as to destitution in the large towns, and a "strictly parochial system" was his specific for both. A reduction of seat rents was indeed essential to his design; but its main features were a preference to parishioners in the letting of seats, and, above all, such a subdivision of parishes as should enable the minister to discharge his pastoral duties within the compass of "a manageable home walk"; and, just as in dealing with pauperism he expatiated on the virtues of independence and mutual kindness which are developed in the poor when they are left to help themselves, so in his advocacy of Church Extension he dwelt with enthusiasm on the "mild moral lustre" which is necessarily diffused "when contiguous families hear the same minister and come within the scope of the same household attentions."[1]

Legislators were not so susceptible as "the Christian public" to the glamour of this ideal, but were necessarily

[1] Hanna's *Chalmers*, iii. 449-487; Chalmers's *Works*, xiv. 104. Edinburgh, including both Church and Dissent, had accommodation for 48 per cent. of its people, Glasgow for 39 per cent., and London for only 24 per cent.—Hansard, 3rd series, xli. 142.

more or less impressed by the presentation of nearly seven hundred petitions in its support. A deputation to Lord Melbourne in July, 1834, was cordially received, and great expectations were raised when Peel succeeded Melbourne, and when at the opening of a new Parliament in February, 1835, a paragraph favourable to the Church's appeal was inserted in the King's speech; but within two months Melbourne was again in office, and in June it was announced that a Royal Commission would be appointed to inquire into the facilities for public worship in Scotland. There can be little doubt that the House of Commons, which had received numerous anti-Extensionist petitions, could not have been induced to dispense with an inquiry; but the clergy were still lamenting the fall of Peel, and they strongly objected to what they regarded as an unfriendly and unconstitutional Commission. Chalmers spoke of the Commissioners as "if they had been selected for the purpose of celebrating the obsequies of the Church of Scotland." Cook—in whom the Tory had supplanted the Moderate—declared that, if the clergy admitted the right of a civil authority to interrogate them on the discharge of their spiritual functions, "they would make the King head of the Church in every sense of the word"; and the Assembly Commission resolved that such questions ought not to be asked.[1]

Chalmers, though he concurred in this resolution, was anxious to curb its theocratic spirit, and, indeed, declared that rather than prejudice the cause of Church Extension he would "submit to any affront." But he

[1] The Churchmen may have had some reason to complain that three of the six working Commissioners were believed to be hostile to Extension: but they spoiled their case by objecting to the mere idea of an inquiry.—Cockburn's *Journal*, i. 101, 103.

was soon himself to be guilty of a flagrant indiscretion. Having presided over the Assembly of 1832, he was one of the Ex-Moderators who since about 1820 had been permitted to nominate or at least to recommend their successors; and in the summer of 1835 he proposed that Dr. Lee—a man of great, though meticulous, learning, one of the ministers of Edinburgh and afterwards Principal of the University—should be Moderator for the following year. Lee, however, though not in sympathy with the Whigs, had dissented in some measure from the attitude of his brethren towards the Royal Commission; and in November Chalmers withdrew his suggestion of Lee and concurred with his colleagues in recommending a violent Tory—Dr. Macleod. Next year he exerted himself to procure the further exclusion of Lee—this time in favour of Dr. Gardiner, an undistinguished country minister; and Lee's evidence, when called as a witness before the Royal Commission, gave him no reason to repent of this step. Chalmers, in fact, was indebted to Lee for the same candid criticism of his Church Extension scheme as he was shortly to receive from Dr. Alison in regard to his scheme of parochial relief.[1] Speaking as one who had laboured for fifteen years in the poorest districts of Edinburgh, Lee gave it as his opinion that "the idea of making a congregation strictly parochial in a city like this is almost visionary and impracticable, and in some respects not desirable." Most of the poor were weekly or at least monthly tenants, and he was never surprised to hear "that if they had been ten years in the town, they had lived in six or seven parishes."

Meanwhile in December, 1836, some of Lee's supporters

[1] See p. 253.

—all members of the Church Extension Committee and most of them Whigs—had met and published a protest ; and Chalmers, despite the remonstrances of his friends, issued a long and violent philippic[1] against "this upstart power" which had challenged what he conceived to be "the long established initiative of the Old Moderators." Lee, who had had far more parochial experience than Chalmers, was described as "that precipitate adventurer who has rushed unbidden into a field on which, to him a *terra incognita*, a land of bewilderment and darkness, he ought never to have entered" ; but the worst sufferer was Robert Bell, Procurator or legal adviser of the Church and one of the detested Whig Commissioners. Aspiring to a crown of martyrdom which, happily, was quite out of his reach, Chalmers concluded his tirade against Mr. Bell thus : "If supported by my God and by my conscience—not all the power and hostility of the Government under which you serve, not all the ingenious and protracted torture of that legal machinery within the reach and ready use of the profession to which you belong, shall ever cause me to swerve by a hairsbreadth from the duty I owe to my Church and to the noble cause which they have put into my hands." The result was a war of pamphlets which proved anything but helpful to "the noble cause."[2]

The decision at which the Government had arrived on the evidence brought before them by their Commission was announced in March, 1838. They could not afford

[1] *A Conference with Certain Ministers and Elders*, 1837.

[2] On the whole subject of the Royal Commission and the Moderatorship, see Pamphlets, Advocate's Library, 3rd series, vol. 2431. Chalmers again presented himself as a martyr when the colleagues whom he had thus abused ventured to retaliate with what he called "hideous charges" and "foul and ferocious assaults."—Hanna, iv. 12.

to quarrel with the Dissenters for the sake of a body of clergy who, with scarcely an exception, had "ranged themselves on the Conservative side of politics";[1] and, indeed, the question of endowment at the public expense seems to have presented almost as much difficulty to Peel as to Melbourne.[2] The Church was, therefore, to be assisted, not in the towns, but in the country where funds, originally ecclesiastical, were available for its support. These were the surplus or "unexhausted" teinds possessed by individuals and the bishops' teinds, yielding more than £10,000 a year, which had fallen to the State when Episcopacy was abolished in 1690; and, whilst the former were to be encroached upon, under legislative sanction, to provide for a subdivision of parishes, the latter were to be wholly surrendered by the Crown. This scheme met with so cold a reception that it never took shape in a Bill. It was obnoxious both to the landowners, who called it "spoliation," and to those who had set their hearts on a reclaimed proletariat; and Chalmers, though indignant, as we have seen, at the secularisation of tithes in Ireland, was indifferent, if not hostile, to the reversal of that process in Scotland. But the Church Extension Committee could not lack funds so long as it had so zealous and eloquent a Convener; and in the seven years during which Chalmers occupied this position 222 churches were built and a sum of nearly £306,000 was subscribed. In presenting to the Assembly of 1840 his penultimate report, Chalmers had, however, to admit that the stream of public liberality was beginning to fall off; and this decrease, which became much more marked in the following year, he attributed with good reason to

[1] See p. 283.

[2] See *Scotsman*, June 2, 1838, and Cockburn's *Journal*, i. 186.

the great controversy which had arisen in regard to the jurisdiction of the Church.[1]

It will be well in closing our review of this period to look more closely at the man who was in all respects its outstanding figure. To whatever else Chalmers may have owed the influence he exerted over his contemporaries, much of it was due to his unquestioned supremacy as a public speaker. His speech against pluralism in the Assembly of 1816 and a sermon which he preached at the same time before the King's Commissioner were the making, if not the origin, of his oratorical reputation; and the astronomical discourses, which were published early in 1817, and, in the words of Hazlitt, "ran like wildfire throughout the country," ensured him a great reception when he visited London in the following summer. Canning, Huskisson, Lords Elgin, Harrowby and Binning were amongst his hearers; and the first was "greatly affected; at times he was quite melted into tears." The general public was equally susceptible to his appeal; and on this occasion and throughout his career he had more than enough of what in a moment of depression he described as "a popularity of stare and pressure and animal heat." We read of churches being besieged several hours before the time of service; of crowds so dense that even the preacher himself all but failed to gain admission; of doors that collapsed before the weight of numbers. "All the world wild about Dr. Chalmers" is an entry in the diary of Wilberforce, who, when he arrived at the Scottish church in Swallow Street, had to enter by a plank projecting from a window over the heads of the people and was rewarded by a

[1] Hansard, 3rd series, xli. 708; xlii. 112; *Scotsman* for 1838; Hanna, iv. 85.

sermon on his favourite theme—"Chalmers most awful on carnal and spiritual man." The prophet was equally honoured in his own country; but his greatest success in the realm of wealth and fashion was achieved in 1838—the excitement being then rather political than religious—when he lectured in London to a Hanover Square audience on the establishment and extension of National Churches. The first lecture was graced by the presence of a royal duke; at every succeeding lecture the throng was both larger and more select; and at the sixth and last there were said to be present nine bishops and at least five hundred of the Lords and Commons. "Nothing," wrote one of his colleagues on the Church Extension Committee, "could exceed the enthusiasm which prevailed in London. The great city seemed stirred to its very depths."[1]

These effects of his oratory are the more remarkable when we remember that Chalmers had none of the histrionic gifts and graces which lent such charm to the preaching of Whitefield. The impression he made at the outset on those who heard him for the first time was almost always disappointing; for there was "a flabbiness, a sort of cheesiness, about his look and a blankness in his expression"; his figure was awkward, his manner and accent[2] were uncouth; and the high and massive forehead was not enough to counteract "a low rough husky voice, a guttural articulation, a whitish eye and a large dingy countenance." His speeches as well as his sermons and lectures were carefully

[1] Hanna, ii. 65, 69, 102, 159, 164; iv. 37.

[2] "Not only broadly national, but broadly provincial, distorting almost every word he utters into some barbarous novelty," says Lockhart, quoted by Hanna, ii. 4.

prepared, and even now in the disillusionment of print one is sensible of their dignified, luminous and spacious style, their wealth and variety of illustration and their frequent vividness of phrase;[1] but only those who had heard him could fully appreciate these merits. His opening sentences usually accorded only too well with his unprepossessing appearance; but, as he proceeded, the full meaning of what he was reading or recollecting seemed to burst upon him anew in a flash of inspiration; his features kindled into life; and, though gesture and accent became even worse under the strain, his hearers were soon conscious of nothing but a torrent of eloquent and impassioned speech. "There is something altogether remarkable about that man," said Jeffrey, after listening to such an outburst in the Assembly—something that reminded him more of the impression one reads of as produced by Demosthenes than anything he had ever heard; and Cockburn, who had "often hung upon his words with a beating heart and a tearful eye," declared that for effect at the moment of speaking he was "unapproached in our day."[2]

Chalmers had all the moral earnestness of the movement he embodied, and it need not surprise us to find that he participated to the full in its intellectual defects. He had indeed—what was too often lacking—an admiration for scholarship and was himself an enthusiastic student; but his studies, though they gave a literary flavour to all that he spoke or wrote, did little to enlarge or deepen his thought. "His speeches and sermons," as Sir Archibald Alison has well said, "were

[1] Note the words previously quoted: "A popularity of stare and pressure and animal heat."

[2] Cockburn's *Memorials*, p. 361; M'Cosh's *Scottish Philosophy*, p. 398; *Edinburgh Essays by Members of the University*, 1857, p. 241; Hanna, ii. 69.

invariably the amplification of one idea.[1] It was in the different lights in which that idea was placed and the brilliant colours it was made to reflect that the charm of his eloquence consisted."[2] This intensity rather than breadth or keenness of vision was allied in him with the conservatism characteristic of the religious reaction as it unfolded itself during his life—a movement which had originated, as we have seen, in a revolt from corporate to personal religion, but under the influence, first of the French Revolution and then of the agitation for reform, had rallied to the institutions which it had once all but contemned ; and the veneration of Chalmers for the Church of Scotland amounted almost to an obsession. His whole gospel of social welfare was based on the assumption that, if a comparatively small number of people could be permeated by the teaching and subjected to the constant visitation of a parish minister, they could not fail to rise in the moral and ultimately in the economic scale ; and whether he was arguing against pluralism and a compulsory provision for the poor or in favour of Establishments and Church Extension, this was always the burden of his theme. We have seen, and we have yet to see, how largely in such matters he was the victim of illusion. And, if he prized the parochial system of the Church, still more did he cherish its doctrine. Of his standpoint as a

[1] So also Carlyle, *Reminiscences*, i. 161—"The triumphant on-rush of one idea, with its satellites and supporters." Of Chalmers's *Christian and Civic Economy of Large Towns*, Marshall, the protagonist of Voluntaryism, wrote: "Though the work consists of two or three volumes, the whole substance of it may be got by perusing little more than as many pages. The grand argument, often reiterated, is that men have no natural desire for religion and that unless religion be brought to them they will never come to it."—*Letter to Andrew Thomson*, 1830, p. 77

[2] *Autobiography*, i. 446.

teacher of theology, it may suffice to say that a treatise by Robert Haldane and another by Carson were the two text-books used in his class,[1] and that he credited the author of the Book of Daniel with having "eyed from afar the structure and the society of modern Europe." It may also be remarked that his respect for the popular voice in religion was equalled only by his contempt for it in politics. In the preface to his *Sketches of Mental and Moral Philosophy*, whilst assuming that every branch of inquiry must accommodate itself to the *dicta* of revelation, he yet complains that he knows of no single science which has not been "turned by one or more of its perverse disciples into an instrument of hostility against the Gospel of Jesus Christ," and insists that each of the sciences—with the tacit exception of theology—ought to confine itself to its own proper sphere.[2] This notion that intellectual progress consists in the isolated acquisitions of the mind and not in its ripening and widening through the interaction of ideas was common, and indeed essential, to the whole orthodox school.

We need not quarrel with Evangelicalism for the want of a critical faculty which, had it possessed such a power, might easily have impaired its vigour; but the obscurantism inseparable from the movement was none the less mischievous; and, on the whole, whilst rendering homage to a personality so great and so varied in its manifestation as that of Chalmers, one cannot but concur in the judgment of Carlyle: "He was a

[1] *Memoirs of the Haldanes*, p. 532.

[2] In this preface, at a time when several Anglican divines had become alive to the tendency of German Biblical criticism, he hazarded the unfortunate prediction that this movement could never do more than "make certain infinitesimal additions to our former knowledge in things minute and circumstantial."

man essentially of little culture, of narrow sphere, all his life"—though we may justly allow for exaggeration in what follows: "Such an intellect professing to be educated, and yet so ill *read*, so ignorant in all that lay beyond the horizon in place or in time, I have almost nowhere met with."

CHAPTER VIII

THE CHURCH AND THE LAW, 1837-1843

Reference has been made to the "Overture and Interim Act on Calls," which was passed by the General Assembly in 1834 and next year, having been approved by the greater number of Presbyteries, was converted into a standing law. It was commonly known as the Veto Act, and, announcing as a fundamental law of the Church that no pastor should be intruded on any congregation contrary to the will of the people, it provided that a mere intimation of dissent on the part of a majority of the parishioners who were male heads of families and communicants should put an end to the prosecution of a call, but that this rule should not apply to cases in which the Presbytery had acquired the patronage *jure devolutu*, *i.e.* through the failure of the patron to present a qualified person within six months. We have seen that this enactment had originated, not in any abuse of the law of patronage, which had never been better administered,[1] but in a feeling that the Church could not be made invulnerable to the assaults of Dissent till its ministers were appointed in a way more consonant with a conviction which was common to both parties in this quarrel—that "practically and

[1] This was admitted on all hands.

in effect the popular and the evangelical systems of Christianity are at one."[1]

These are the words of Chalmers, who was so much of this opinion that he had made it his principal argument for a measure similar to the Veto Act which he introduced, but failed to carry, in 1833. A Tory in politics, he said of the Reform Bill that it was "a great deal too plebeian for me";[2] but he had the greatest admiration for "the Christianity of our ploughmen, our artisans, our men of handicraft and of hard labour"; and he claimed for even "the most homely of our rustics" that they had a keenness of appetite and a sureness of taste in regard to "food for the soul" which made them better judges of a sermon than those whose minds were accustomed to more varied and generous fare. He was, of course, conscious that "our cottage patriarchs" would make but a poor appearance if they were required to explain the intuitions or sensations which prompted them to prefer one preacher to another, and it was consequently an essential feature of his scheme, and of that which was adopted in the following year, that the male heads of families who had objected to a presentee should not be called upon to give reasons for their dissent. The time had been when Presbyteries were accused, not without reason, of intruding ministers too refined and too cultivated for their hearers; and now it had come to this, that these courts were to stand aside lest haply through their influence the religion of cultivated intelligence should prevail over that of unintelligent instinct.[3]

[1] Chalmers's *Reply to Dean of Faculty*, 2nd edition, 1839, p. 22.

[2] *Ibid.* p. 28.

[3] Intellectually with this measure the *descensus Averni* of Evangelicalism may be said to have been complete.

The most singular feature of this measure was that which deprived the Presbytery—at a time when there was a growing disposition to magnify the power of Church courts—of a right of adjudication which it had never lost even during the two periods when patronage was in abeyance; but, though Chalmers concurred in the method adopted for giving effect to the principle of non-intrusion, it was not the one which he himself had proposed. He had suggested that the Assembly should have recourse to its judicial, not to its legislative, power, and that the vitality of the call should be restored by a series of decisions reversing those by which it had been impaired. When this remedy was rejected on the ground that it could be of no immediate service either in allaying the outcry against patronage or in disarming those who were using it to discredit the Church, he had insisted that any measure proposed to the Assembly should have the concurrent sanction of Parliament; and he had given way on this point only on the assurance of Lord Moncreiff, one of the judges of the Court of Session, that nothing but an ecclesiastical enactment was needed to resuscitate the call. Jeffrey, who was then Lord Advocate, had at the same time assured him—unofficially, it is true—that Lord Grey's Government would welcome the proposed innovation, and Cockburn, the Solicitor-General, was one of the minority who voted for it in 1833. The law itself as adopted on May 27, 1834, was introduced by Lord Moncreiff. On the following day Sir John Campbell, the Attorney-General, who was then a candidate for the representation of Edinburgh, delivered a speech in which he expressed his cordial approbation of the measure. Two months later, Lord Brougham referred to it from the Woolsack as "in every respect more

desirable than any other course that could have been taken" ; and Dr. Cook, the Moderate leader, though he had opposed it from the first as legally irreconcilable with patronage,[1] declared in 1836 that "he had sanguine hopes, if the measure got fair play, it would prove a blessing to the people."[2]

The confidence engendered by these expressions of opinion was, however, soon dispelled. On August 31, 1834, a vacancy occurred in the parish, and within the Presbytery of Auchterarder, and a presentation was issued in favour of Robert Young, an irreproachable licentiate, by the Earl of Kinnoull. The Presbytery, having "so far" sustained the presentation, invited signatures to a call ; and on December 2 this document was signed by three persons—one of them the Earl's factor, whilst, of 330 male heads of families, no fewer than 287 intimated their dissent. Young appealed on technical grounds to the Synod, and from the Synod to the Assembly ; and, when the Presbytery in July, 1835, rejected his presentation, he brought an action against them—to which the patron was also a party—for refusing to take him on trials. The case came before the Court of Session on November 21, 1837. It was tried by the whole bench of judges, and the pleadings extended over three weeks.

The statute of most use to the pursuers was an Act of the Scottish Parliament—the well-known Act of 1592—by which a Presbytery was "bound and astricted" to admit the holder of a valid presentation, provided they found him qualified ; for Young had been rejected without reference to his qualifications, which the

[1] See his *Few Plain Observations on Patronage and Calls*, 2nd edition, especially pp. 19, 20.

[2] Hanna, iii. 351, 362, iv. 116 ; Omond's *Lord Advocates*, iii. 24 ; *Memorial of the Church to H.M. Government*, 1841, pp. 6, 7.

Presbytery, whether or not they could be said to have devolved the trial of them on others, had at least refused to examine. It was contended on the other side that one of the qualifications essential to a presentee was that he should be acceptable to the people ; that this was implied in the call, which, though it had never obtained statutory recognition, was one of a number of usages which Parliament had confirmed in some such general phrase as " the discipline of the Kirk " ; and that the Assembly of 1834 in passing the Veto Law had sought merely to revive the call, which the policy or the negligence of former Assemblies had reduced to a form. The validity of the Veto Act was not, however, a question which the defenders deemed essential to their case. They contended that the call as opposed to the presentation was a matter purely ecclesiastical ; that the Assembly in all such matters had supreme and exclusive jurisdiction ; and that, though Parliament had imposed certain obligations on the Church, there was no civil tribunal competent to determine whether these had been discharged. They also maintained that, if a decision contrary to this principle were arrived at, it could not be enforced ; and Solicitor-General Rutherford drew a moving picture of what would happen if the Court attempted such a task : " Enforcing by your lordship's decrees the spiritual induction of a pastor ! Compelling under pain of horning and imprisonment the Church to confer the spiritual gift of the ministry ! Have the pursuers reflected for a moment upon the nature of the proposition they maintain ? " It was not induction, but only the inquest preparatory to induction, that was or could be demanded of the Church ;[1] and when

[1] The Church could never be compelled to induct, because it could never be compelled to find a presentee qualified ; and, except for an

judgment was delivered in March, 1838—a process which occupied more than a week—it was found that eight out of the thirteen judges were of opinion that the Presbytery of Auchterarder in rejecting Robert Young without taking trial of his qualifications had acted "illegally and in violation of their duty."[1]

It was a crushing disappointment to the Evangelicals that an enactment which was at once the inauguration and the seal of their ascendency, which they had framed on "the very highest legal advice" and in the whole conduct of which they claimed to have had "the express sanction and active co-operation" of the Government, should have been thus summarily disposed of by the Court of Session; and the controversial character of the decision made it the more difficult to digest. The Dissenters had contended that a religious body which acknowledged no sovereign but Christ could, if it were true to itself, exist only on a voluntary basis, and the reply had been that in Scotland, if nowhere else, the civil power had been sufficiently enlightened to establish and endow such a body, with no reservation but that

opinion expressed, as we shall see, by Lord Brougham, its independence in this its legitimate sphere was never challenged.

[1] Robertson's *Report of the Auchterarder Case*, 2 vols. 1838. Lords Moncreiff, Jeffrey and Cockburn—who had all committed themselves to the Veto Act—Lords Fullerton and Glenlee were the dissentient judges. The opinions they expressed would have enabled any General Assembly which was supported by a majority of Presbyteries to alter at pleasure the Church's statutory constitution; and subsequent decisions appear to have established that even a Dissenting body has no more freedom than is consistent with the constitution it has voluntarily adopted. Yet the *Scotsman* (March 31) admitted that, whilst the position of the Church as "in fact and in law a mere political creation" had never really been in doubt, there were many who had supposed that for the exercise of its legislative power in matters ecclesiastical it was responsible only to Parliament. Even Parliament, however, was not in the habit of interpreting its own laws.

of regulating the provision for its support. The junior counsel for the presentee—not for the Presbytery—had indeed assumed the existence of a compact between the Church and the State; but this idea of two co-ordinate powers was subsequently repudiated on both sides of the bar, and most emphatically by Lord President Hope: "That our Saviour is the head of the kirk of Scotland in any temporal or legislative or judicial sense is a position which I can dignify by no other name than absurdity."

When the General Assembly met as usual in May, they were called upon by many of the inferior courts to take measures for asserting the spiritual independence of the Church; and, in response to these overtures, they resolved that "in all matters touching the doctrine, government and discipline of the Church, her judicatories possess an exclusive jurisdiction founded on the Word of God," and that they would uphold and at all hazards defend this jurisdiction "by the help and blessing of that great God who in the days of old enabled their fathers, amid manifold persecutions, to maintain a testimony even to the death for Christ's kingdom and crown." Robert Buchanan, one of the ministers of Glasgow, had brought forward this resolution—which was carried by 183 votes to 142—as an answer to the calumny, once confined to the Voluntaries but now endorsed by the Court of Session, that the Church could not be united with the State without becoming subject to the State, and had exhorted his hearers to take down the old banner which "now hung reverenced in the Church's armoury," to "shake the dust from its folds and to fling it again abroad to the winds of heaven." Cook had maintained that the motion was "merely an attempt to declare themselves superior to

the law of the land," if, as appeared to be the case, it recognised no external authority competent to decide what were or were not ecclesiastical affairs; and this challenge was eagerly accepted by Buchanan's supporters in the debate, who declared that the Church could have no security for its independence without a right to determine its limits.[1] There was, however, a higher tribunal than the Court of Session; and the Assembly, having thus pledged itself not to accept an adverse decision, resolved to submit its case to the House of Lords.

We have seen something of the change in temperament and in opinion which had brought about a revival of the Covenanting spirit; and it may be well to point out here that the Tories and Moderates had contributed to it by the clamour they had raised and encouraged in 1835 against the Melbourne Commission. One of the persons who had professed to feel most deeply this outrage on the part of a Whig Government was the Dean of Faculty—counsel for the Auchterarder presentee and a bitter opponent of the Veto Law—whom Henry Dundas had once referred to as "that crocodile Hope."[2] In a letter to Chalmers, Hope had denounced the Commission as not only "illegal and incompetent," but as such an attack on Presbyterian independence as had never been perpetrated even in the days of Charles I.; and he had suggested that the Presbyteries should severally petition the House of Lords to protect them from a measure which was "utterly inconsistent with the divine appointment of ministers."[3] A year later, in reference to a petition which had been presented to the House of Commons, Sir George Clerk and Sir James

[1] *Scotsman*, May 26, 1838.
[2] See p. 199.
[3] Hanna, iii. 485.

Graham had asserted the exclusive spiritual jurisdiction of the Scottish Church in terms so unguarded that the Chancellor of the Exchequer said he hoped it was not argued that, if this jurisdiction were extended to temporal matters, the House would not be competent to receive a complaint.[1]

The old banner alluded to by Buchanan had been tolerably conspicuous at the recent Assembly; and it was again displayed on December 20 when a great meeting was held at Edinburgh "to commemorate the restoration of civil and religious liberty and of the Presbyterian Church Government as secured by the Glasgow Assembly of 1838." The Non-Intrusionist clergy who took part in the proceedings were mostly of the younger and more extreme type, and several of them were subsequently leaders of the Free Church, such as Candlish, Cunningham, Guthrie and Begg. Spiritual independence, the iniquity of patronage and of Anglican sacerdotalism were the principal topics; but Sir George Sinclair, who presided, indulged in some caustic criticism of the Church Extenders, many of whom were, it seems, remiss in family worship, regarded St. Leger rather than St. Luke as their tutelary saint and erected altars to—as far as they were concerned—an unknown God. The proposer of the first resolution compared the union of Church and State to an alliance between two independent countries, such as Great Britain and America; and, after pointing out that neither could be expected to accept the other as judge in regard to the bounds of its jurisdiction, made the pious but irrelevant remark, "There is an arbiter above them both." Cunningham admitted that it was difficult

[1] Hansard, 3rd series, xxxv. 574. Sir James Graham had left the Whigs in 1834 on the question of their Irish Church policy.

to convince the State of its obligation to the Church, but added for the encouragement of his audience that "cases have occurred in which civil rulers have been made to understand right principles on these points and to act upon them." They were all zealous unto slaying against patronage, but Guthrie was the most vehement, declaring that he "would account it a higher honour to be sent to the Calton Hill jail for the cause of a Christian people than to be installed Moderator of the General Assembly"; and we learn from his speech that when "the anti-patronage banner" was first unfurled—this was in 1833—in face of the Assembly, it found only thirty-three supporters, then forty-two, who were known as "the 42nd Highlanders," and finally in this year ninety-one.[1]

One may question whether the testimony of the Reformers and Covenanters was altogether favourable to those who now appealed to it as their warrant, and indeed it was a point raised in the recent outburst of Voluntaryism that the spiritual independence of the Church was not recognised in its standards. No real comparison can, however, be drawn between the state of things which existed in the days of Andrew Melville and of the Covenant and that which had arisen in 1838. Melville had impressed upon the Church his conception of a temporal and a spiritual kingdom; but the conditions of the time made it impossible that the boundary between the two realms should be fixed or on either side observed. From the Reformation to the final establishment of Presbytery in 1690 the issues of

[1] *Report of the Great Public Meeting, etc.*, 1839. On the same day there was a service in Glasgow Cathedral, followed by a public dinner, and the commemoration is said to have been "quite a festival in many towns." —Rainy and Mackenzie's *Life of William Cunningham*, p. 127.

religion and politics were inextricably interwoven ; and, as the clergy claimed to be the inspired, or at least the authoritative, exponents of Scripture, they were constantly employed, not indeed in exercising the civil jurisdiction, but, as they themselves expressed it, in teaching the magistrate how it ought to be exercised according to the Word.

Hence in those days there was a real antagonism between the Church and the State—the former attempting by means of the pulpit to make itself a force in politics, the latter endeavouring to put down a theocratic priesthood and in the last resort to place it under the control of bishops. In 1838 politics, though not free from clerical interference, had long been established on a secular basis ; the State did not oppose the Church, and the Church, if it had been unanimous, would never have come into conflict with the law.[1] The Veto Act, far from being obnoxious to the Government, had, as we have seen, its " express sanction and active co-operation " ; and the whole trouble had arisen because a patron and a presentee, whom this enactment had injured, and who regarded it as illegal, had appealed for redress to the Court of Session. If we add to this that patronage was never a vital issue in the Puritan times—when the clergy were more conspicuous as prophets than as pastors—it will be seen that the historical background of the movement, to which it owed most of its strength, was in great measure fictitious. Such a phrase as " the headship of Christ " had a definite meaning when it stood for the right of the Church to be ruled by its own Assemblies and not by Crown-appointed prelates ; but it was worse than meaningless

[1] This aspect of the question is ably set forth in Macgeorge's *Papers on the Principles and Real Position of the Free Church*, 1875.

when used to discredit a bench of judges who in the ordinary course of their duties had been called upon to pronounce a judicial decision.

In temper certainly, if not in principle, the Non-Intrusionists were children of the Covenant;[1] and, their view of Scottish history being a purely sentimental one, they were better qualified to reflect than to interpret its spirit. Few persons who took an intelligent interest in this subject can have been surprised to read in the *Scotsman* that the Glasgow Assembly of 1838 was a rude and tumultuous body which had been packed by the dominant faction; but, as described by Candlish at the commemoration meeting, it was "a holy convocation to which might fearlessly be committed even the cause of God." Again, if there was a period when the vitality of the Church as a Christian institution would seem to have been at a particularly low ebb, it was during the furious dissensions which preceded and followed the battle of Dunbar; but Kirkton had described this carnival of polemical holiness in which he delighted as "Scotland's high noon"; and the "enthusiastic fable"—to quote one of his modern critics—was accepted without question by Evangelical divines. "Great," wrote Buchanan, "was the blessing which rested on the land while this godly order was maintained."[2] And Chalmers, always the readiest victim of illusion, spoke of this period, when patronage was abolished and the "power of negation was lodged with the people," as a "time of scriptural Christianity in

[1] Referring to this controversy, Sir James Graham wrote to Chalmers on December 30, 1839: "I have often said to you that its tendency was to revive the old dispute between kingly government and theocratical church polity."—Stuart Parker's *Life and Letters of Sir James Graham*, i. 379.

[2] *Ten Years' Conflict*, 1852, i. 104.

our pulpits and of psalmody in all our cottages," a time when parochial strife was almost unknown and village demagogues had "had to sheathe their swords for lack of argument."[1] If anything could add to the unconscious satire of this description, it was that intrusion was then largely practised by the smaller and more extreme faction with the countenance of Cromwell's officials and even with the aid of his soldiers.[2]

The judgment of the House of Lords delivered on the 3rd and 4th of May, 1839,[3] was so complete a condemnation of the Veto Law as to disconcert even its opponents. Brougham—not for the first time—had to recant an informal opinion too hastily expressed.[4] Professing his inability to understand the doubts and difficulties which had divided the Court of Session, he declared that, except on the inadmissible assumption that the patron and the people were joint electors, "no two things are so impossible to exist together in the same world as the absolute right to choose on the part of one person without a reason and the absolute right to refuse on the part of another person without a reason"; and Lord Chancellor Cottenham was of opinion that in face of so clear a violation of statute

[1] Hanna, iii. 357-360.

[2] The Moderates had a far more critical appreciation of Scottish history, as one may see by comparing Bryce's "Historical Retrospect" prefixed to his *Ten Years of the Church of Scotland* with the corresponding chapters of Buchanan's *Ten Years' Conflict*. Readers of Dr. Bryce's book have to reckon with a repellant, if not prohibitive, style. By far the best analysis of Ultra-Presbyterian principles is Turner's *Scottish Secession* of 1843, a masterly, judicious and admirably written work, which seems to be too little known.

[3] May 2, the date given in the supplement to Robertson's *Auchterarder Case* is that usually adopted; but see Maclean and Robinson's *Appeal Cases*, 1839, p. 220.

[4] See p. 306.

the question of the Church's jurisdiction could not arise. More startling, however, was the definition of a special point announced by Brougham with the full assent of his colleague. He laid down that "qualification" in the ecclesiastical sense was as much a technical term as when used to express the right to kill game or to vote in a parliamentary election, and was to be understood as comprising only life, literature and doctrine. This was the sense in which the word had been interpreted by Brougham's "most venerable relation," Principal Robertson;[1] but the Moderates in these Post-Reform days had expressly repudiated it; and it would, of course, have been fatal to the suggestion of Chalmers that the Church should give effect to the Non-Intrusion principle by its judicial rather than its legislative power. The motion which Cook had carried against the original Veto scheme in 1833 asserted that it was competent for the people to state and for the Presbytery to examine "objections of whatever nature" against a presentee; and the opinion that mere unsuitability to the particular charge might be a valid objection, which the Moderate leader expressed on this occasion, was also affirmed by Lee in his evidence before the Patronage Committee of the House of Commons.[2]

The members of Assembly had barely had time to digest this decision when they met on May 16. The question what they ought to do was submitted for discussion at noon on the 22nd, and the debate lasted till two on the following morning. Cook proposed that the Veto Act, having never been legal, should be dropped, not repealed, and that the Church should fall back on his resolution of 1833—a resolution discountenanced, indeed, by the Lords but not involved in their judgment.

[1] See *The Awakening of Scotland*, p. 172. [2] *Report*, 1834, p. 422.

Chalmers, being fully occupied with his Extension scheme, had not been a member of Assembly since this motion was preferred to his own; but he had now returned to be the orator and figure-head of his party, if not—owing to his contempt for "the palaverments of law"[1]—its leader. The motion which on this occasion had the support of his eloquence he introduced, but confessed that he had not attempted to frame. Professing its readiness to acquiesce in the civil effects of the Auchterarder decision, the Assembly was to claim neither the stipend nor the *jus devolutum*; but it was to declare its adherence to the principle of Non-Intrusion, and, in order to avoid the consequences that must follow from the application of this maxim, was to appeal to Parliament for a settlement of the dispute. This resolution was characterised by its opponents as a virtual defiance of the law; and it was also objected that no express direction was given to the Presbyteries as to whether they should enforce the Veto Act; but Chalmers did his best to supply this defect by expatiating afresh on the merits of the Act, and especially on the protection it afforded to the inarticulate piety of "our cottage patriarchs." A proposal in favour of compromise was brought forward by the Ex-Moderator, Dr. Muir; and, when this had been disposed of, the motion of Chalmers was carried over that of Cook by 204 votes to 155.[2]

To say that they claimed the cure, but not the benefice, of a parish, as they did in the deliverance of this Assembly, was the invariable answer of the Non-

[1] See p. 270.

[2] *Scotsman*, May 25, 1839. The Veto Act was said to have been suspended because "all disputed cases" were to be referred to the next Assembly—a very imperfect suspension. Lord Dalhousie, the future Governor-General of India, withdrew from the House as a protest against its disobedience to the law.

Intrusionists when they were taxed with resistance to the law; and it will be well at this point to consider what it was worth. The Act of 1592 declared, as we have seen, that a Presbytery was "bound and astricted" to receive any qualified person presented by the patron. In those days it was common enough—though not so common as before the Reformation—for persons who were not qualified to obtain possession of parish churches for the mere sake of the tithes and to ignore a sentence of deposition from spiritual functions which in most cases they had never exercised. It was, therefore, enacted in the same year that such persons should forfeit their livings when deposed; that the patron should be bound to present a qualified person, and that, if the Presbytery refused to admit such a presentee, he should be permitted to retain the stipend.[1] The idea seems to have been that, as the patron would no longer be able to present an unqualified person, he should have some security that a person who was qualified should not be refused. These two distinct, though consecutive, Acts were frequently read as one—indeed Buchanan cites them as one[2]—and were interpreted to mean that a Presbytery, though "bound and astricted" to admit a qualified presentee, need not do so if prepared to renounce the stipend.[3] This strange doctrine was sanctioned by Lord Kames and several

[1] *Act. Parl.* iii. 541, 542. [2] *Ten Years' Conflict*, i. 88.

[3] A cheap enough renunciation, since the living could not be filled without consent of the Church and could not, it was supposed, be left vacant without its stipend accruing to the Ministers' Widows' Fund, as regulated by a statute passed in 1814. The Auchterarder stipend was claimed by the trustees of this fund; but a majority of the whole Court decided against them, chiefly on the ground that the Church could not benefit from a vacancy caused by itself in violation of law.—*Session Cases*, v. D. 12.

other authorities of the eighteenth century; but Sir Henry Moncreiff, whose opinions were constantly cropping up to confound his Evangelical successors, summarily rejected it: "No greater absurdity can be imagined than that it could ever have been in the contemplation of law that a benefice should in any circumstances be separated from the pastoral cure to which it is attached." And the same opinion was expressed by the leading Non-Intrusionist layman just a year before the Veto Act was passed. Writing as a lawyer in 1833, Dunlop laid down that to conjoin the benefice to the pastoral charge was "the object of the State in creating an Established Church"; that this was to be effected by the admission of qualified presentees; and that "the Church by accepting the endowment so regulated became a party to the object for which it was intended." [1]

Whilst the Assembly of 1839 was engaged in the Veto debate, the Court of Session was delivering a judgment supposed to be even more inimical to its claims than that of Auchterarder. In 1835, the minister of Lethendy and Kinloch being old and infirm, the Crown at the request of the parishioners had appointed a Mr. Clark to be his colleague and successor. The Presbytery of Dunkeld took the usual steps to bring forward the presentee, but rejected him when they found that there was "at least a major part of the persons on the roll dissenting." [2] In 1837 the old incumbent died; and, though Clark had raised a civil action similar to that of Young, the Government showed its respect for the Veto Act by issuing a new presentation

[1] *Law of Patronage*, chap. viii.

[2] Of the fifty-three dissentients, forty had signed the petition to Government in favour of Clark.

in favour of a Mr. Kessen. This the Presbytery sustained, and, the Assembly Commission having instructed them to perform what it declared to be "a purely spiritual act" in defiance of an interdict which had been served upon them by the Court of Session, they inducted and ordained Kessen as minister of the united parishes in September, 1838. Proceedings founded on the breach of interdict were then taken against them by Clark. On May 22, 1839, they were found guilty of contempt of Court, and, three weeks later, they were "solemnly censured and rebuked" by Lord President Hope, who intimated that it was not without considerable difficulty that the Bench had "brought themselves to adopt this lenient measure," and that, if any other Presbytery should presume to repeat the offence, they would be imprisoned.[1]

In this case as in that of Auchterarder it was a licentiate of the Church who had questioned its authority; and now some of the parish clergy were to come forward in still bolder guise as adherents of the civil power. The Synods of Aberdeen and Moray had been conspicuous from the first for their opposition to the Veto Act, the former indeed having petitioned that such a measure should not even be introduced;[2] and it was within the Synod of Moray that the new issue was raised. In 1838 the Presbytery of Strathbogie were in the midst of a case which, so far, had developed in a manner similar to that of the dispute which was troubling their

[1] Robertson's *Report of the Lethendy Case.* If the defendants had contented themselves with ordaining Kessen, as in the case of a missionary, their plea in bar of jurisdiction would have been sustained (*Ibid.* p. 70); but they had admitted him without any qualification both as a parish minister and as a member of the Presbytery.

[2] *Report of Dr. Mearns's Speech in the Synod of Aberdeen on the 9th April,* 1834.

brethren of Dunkeld. A Mr. Edwards had been presented to the parish of Marnoch, and the Presbytery, in terms of the Veto Act, had rejected him; the trustees of the Earl of Fife, who were the patrons, had issued a new presentation; and Edwards had obtained a decree against the induction of his rival. Here, however, the two cases diverge. A majority of the Strathbogie ministers—seven to four—had sufficient respect for the interdict "to delay all procedure until the matters in dispute be legally determined." The Assembly of 1839 deferred to their scruples by requiring them only to take no further action till the next Assembly; but by this time the House of Lords had delivered its judgment; and they resolved to proceed with the candidature of Edwards when the Court of Session in June found that he was entitled to be taken on trials. In December, on their refusal to give way, they were suspended by the Assembly Commission; but they continued to meet as the Presbytery in opposition to the minority who had been invested with its functions; and the law, when appealed to, secured to each of them as preachers the exclusive possession of his pulpit, and subsequently of his parish.[1] The first of these edicts was observed by the eminent divines who, in consequence of the suspension, were appointed to preach "the gospel" in

[1] A minister in his official capacity was under the civil jurisdiction only in regard to the "temporalities" of his cure, and in extending the interdict from the church buildings to the parish the Court of Session almost certainly exceeded their power. Lord Fullerton, who dissented, pointed out that they were really reviewing the legitimate sentence of a spiritual court.—*Decisions*, Feb. 14, 1840. Robertson of Ellon, second only to Cook as a Moderate leader, was of the same opinion.—Charteris's *Life of Professor Robertson*, p. 154. For a defence of the interdict, see *Practical Remarks on the Scottish Church Question*, 1841, p. 51, where the ecclesiastical usage that no minister should officiate in the parish of another without his consent is said to have been recognised by "the law of Scotland."

that land of benighted Moderatism, but the second or parochial edict was wholly ignored; and the result was a scene of ecclesiastical anarchy which Chalmers suggested as the subject of a well-known cartoon by describing it as "the dance of that mazy and multiform confusion" and as "the reel of Bogie."[1]

When ministers had been cited as culprits before the Court of Session and were now holding conventicles in the barns and in the fields of Strathbogie, there could be no difficulty in exploiting the Covenanting tradition; but, if the Non-Intrusionists were to succeed in their appeal to Parliament to protect them from what they called the encroachments of the Court of Session, it was at least desirable that they should secure the sympathy of English Churchmen; and the revival of Ultra-Presbyterianism was not calculated to facilitate their task. The days had long gone by when Scottish Evangelicalism looked to England for inspiration and guidance; but the influence once wielded in the north by English preachers and divines had been replaced to some extent by a league of institutions in face of the demand for religious equality and political reform. Chalmers, in the series of addresses which so delighted a London audience, had advocated the principle of Establishment without reference to the diversity of its embodiment in England and Scotland, and in token of his catholicity had had the collect for the day read at the beginning of each lecture. When Lord Grey's Government in 1833 effected some much-needed economies at the expense of the Irish episcopate, several

[1] Rainy and Mackenzie's *Cunningham*, p. 145. Guthrie, one of the ministers who preached in Strathbogie, admits that he "openly assailed the Judges."—*Memoirs*, i. 404. Notices were placarded and circulated that marriages celebrated by the suspended ministers were invalid.—Hansard, 3rd series, liv. 1297.

of the Scottish Presbyteries had passed resolutions of sympathy with that "suffering Church." The fact that students at the English Universities were required to subscribe the Thirty-Nine Articles was not considered an obstacle by Scottish clergymen who could afford an Oxford education for their sons; and Gladstone, in his essay on *The State in its Relations with the Church*, said of the Scottish Establishment, "It is now rid of its ancient prejudices against the Episcopal Government which is generally regarded with positive favour by its clergy."[1]

But already in his sermon on "National Apostasy" —a tribute to the same "suffering Church" which had excited the compassion of Scottish Presbyteries— John Keble had struck a note of intolerance which went far to dissolve this delusive accord. The first of the *Tracts for the Times*, written mainly by the elder Newman, appeared about two months later, in September, 1833. The Tractarians and Non-Intrusionists were indeed at one in so far as they opposed the Church as a divine institution to the State, and it was little more than an accident, due to the different courses taken by the Reformation in the two countries, that, whilst the one insisted on the magical efficacy of Church rites, the other contended for the prerogative of Church courts;[2] but to the extremists on either side these differences were wide enough to cause a struggle which threatened to become one of extermination. In all the Oxford tracts it is maintained or rather assumed

[1] These facts are taken from a leading article in the *Scotsman* of January 26, 1839, entitled "The Breaking up of the Coalition between the Churches of England and Scotland."

[2] On this subject see *A Tract for the Times adapted to the Position of both Churches*, by William Penney, 1842.

that Anglicans could not communicate with Presbyterians or Catholics, and that, although the two latter were not necessarily debarred from salvation, their chance of obtaining it was no better than that of "virtuous heathens, Jews or Mahometans." Presbyterian baptism could confer no passport of admission to the kingdom of heaven, and the person who ventured without warrant to administer that rite was "all the while treading in the footsteps of Korah, Dathan and Abiram whose awful judgment you read of in the Book of Numbers." The Roman Church, with all its corruptions, was at the worst "idolatrous Judah," but the Scottish Church was Samaria or in other words "idolatrous, schismatical and apostate Israel"; [1] and Gladstone in the essay which has been quoted asserted that individuals were bound to labour for the restoration of the apostolical system in Scotland, and that the maintenance of the Scottish Establishment could be justified only, if at all, on the ground that it had become matter of law and of compact and good faith by the law."

The meetings held to commemorate the Glasgow Assembly of 1638 enabled the more extreme Non-Intrusionists to make a public reply to the *Tracts* in which they and their fellow-Churchmen were "vilified from day to day by what are called the Oxford Papists." One speaker at the Edinburgh meeting declared that "Popery is emanating in its gloomiest form from the cloisters of the English Church"; and another complained of a sermon, preached before Queen Victoria by one of the royal chaplains and now in almost its thirtieth edition, in which the Scottish Church was described as "a community of Presbyterians" and

[1] *Oxford Tractarianism*, by Rev. Andrew Gray, 1842, pp. 9, 11.

its establishment as having originated in "a political manœuvre." Their assertion of the divine right of Presbytery, however, exposed these modern Covenanters to the charge of being no more tolerant or enlightened than their prelatical foes; and Candlish, in particular, found himself described "as in a manner the Froude[1] of this quasi-Oxford conspiracy."[2]

The attitude of political parties was of more immediate importance to the Non-Intrusionists than that of the English Church; and here too they had suffered, and for almost the same period, from the weakening of a valuable alliance. It was certainly a point in their favour that the Ministry now in power was substantially the same as that which had given its countenance and support to the Veto Law; but the Whigs had encountered more hostility from the Evangelicals, whose ascendency they had helped to establish, than they had ever experienced from the Moderates;[3] and one cannot but remark that in 1834, when the Veto Act was passed, Chalmers, the high priest of Evangelical Toryism, became Convener of what was practically the Church Extension Committee. We have seen how the demand for additional endowments was pressed upon Melbourne without any regard for the caution imposed upon him by the opposition of the Dissenters, how his Commission of Inquiry was treated as an insult to the Church and his offer of assistance from the tithes as unworthy of notice. The attempt to exclude from the Moderatorship a man not in sympathy with this headlong course occasioned so bitter a quarrel between

[1] Richard Hurrell Froude.

[2] Hope's *Letter to the Lord Chancellor*, 2nd edition, p. 23; Candlish's *Reply*, p. 1.

[3] Cockburn's *Journal*, i. 184.

the Whig and Tory members of the Committee that for a time they "ceased to be on speaking terms." [1] Chalmers, in short, obsessed by that oneness of idea which made him so good an orator and so bad a diplomatist, "drove on the chariot like Jehu," and would not listen to Guthrie and his friends when on one occasion they opposed the sending of a deputation to confer with the Whig Government, every member of which was a pronounced Tory.[2] But Melbourne may well have doubted whether he either should or could do anything for the Non-Intrusionists, however little he may have been disposed to punish them for their unreasonableness as Church Extenders. On all party questions he had to reckon with a hostile House of Lords and with a majority of only twenty in the Commons. The Dissenters would have found it difficult to oppose a movement for the abolition of patronage, but they were not likely to concur in an attempt to re-establish it on a popular basis; and we may safely assume that the middle class electorate were far less susceptible than the masses to the Covenanting spirit.

A deputation from the Non-Intrusion Committee appointed by the Assembly of 1839 to confer with leading statesmen spent about a week in London, rather embarrassed than assisted by the presence of Chalmers, their Convener, who found himself "the hapless object of the chief of the Cabinet's frowns." On their return they were able to assure the Assembly Commission at its meeting in August that the Lord

[1] *Life of Cunningham*, p. 105. See also *supra*, p. 295.

[2] Guthrie's *Autobiography*, i. 214. "I have heard from the Duke of Argyll who delighted to tell it (imitating the while Dr. Chalmers's broadest Fifeshire) how the Doctor had said 'I have a moral loathing of these Whugs!'"—*Ibid.* p. 216.

Advocate was to be instructed to prepare a measure for the consideration of the Cabinet and that meanwhile the Crown patronage would be dispensed in accordance with the Veto Law. At the meeting of Parliament in February, 1840, they were again in London — this time without their Convener; but, though at first confident of success, they soon had reason to despond; and at last on March 30 Lord John Russell informed the House of Commons that the Government had decided not to propose legislation—at all events before the meeting of the Assembly—as in their opinion no measure likely to be adopted by Parliament could be expected at present to allay the agitation in Scotland.

There can be little doubt that the result of a recent parliamentary election, fought mainly on the question of Non-Intrusion, had contributed to this decision. Perthshire was one of the county constituencies which had reverted to Toryism after being captured by the Whigs as the first-fruits of reform, and there were seventy parish ministers on its electoral roll, nearly all of whom were reputed to be Tories. This seat had recently become vacant owing to the succession of Lord Stormont to the Earldom of Mansfield. Home Drummond, the Conservative candidate, would at first promise no more than that the parishioners should be entitled to submit specific objections for the judgment of the Presbytery, but ultimately agreed that they should have a right of dissent which, when exercised, the Presbytery should be empowered, but not compelled, to accept as conclusive. His opponent, Stewart, on the other hand, was supported by Dunlop, the leading lawyer, and joint Secretary with Candlish, of the Non-Intrusion Committee, and by the *Witness*, a newspaper, edited by Hugh Miller, which they had just

established; and it was announced by one of the Lords of the Treasury,[1] who spoke on Stewart's behalf, that the members of the Government specially interested in Scotland were prepared to recommend a Declaratory Act recognising both the congregational Veto and the exclusive jurisdiction of the Church courts.[2] The result was that Home Drummond was returned by a largely increased majority, and that, whilst only three clergymen and one layman were found to have deserted the Tories, many of the Dissenters either declined to support Stewart or voted against him.[3]

The Non-Intrusion Committee had addressed themselves from the first to the leaders of both political parties, and, as the attitude of the Government became more and more discouraging, they turned with renewed eagerness to the Opposition. Chalmers was naturally delighted with this appeal, but only the most sanguine can have expected it to succeed. Church Extension as a means of strengthening the Establishment at the expense of Dissent had commended itself to both Evangelicals and Moderates, and its leaders

[1] Robert Stewart, M.P. for the Haddington Burghs.

[2] The measure finally devised by Lord Advocate Rutherford was that a presentation should be void unless a majority of seatholders signed the call, and that the *jus devolutum* should not come into force till three such presentations had been issued at intervals of three months. The Bill was published in the newspapers, but was never brought into Parliament. —Hansard, 3rd series, liii. 1224.

[3] *Scotsman*, March 4, 11, 1840. See also *Witness*, Feb. 29, from which it would appear that the clerical defections from Toryism may possibly have been more numerous. A recent by-election in the Inverness Burghs had had the same result. "More than three-fourths of the evangelical clergymen of the Establishment were at this time Conservatives."—Hanna, iv. 191; and to these we may add nearly all the Moderates. In 1839 the Synod of Glasgow and Ayr resolved, with only two dissentients, to petition Parliament for the repeal of the Catholic Emancipation Act.—Cockburn's *Journal*, i. 226.

were Tories; but Non-Intrusion was a democratic as well as an Evangelical principle, and its keenest advocates, with the exception of Chalmers and Buchanan, were Whigs. Opponents of the Veto might indeed have been forced to reconsider their position if it had justified the claim made for it as a restriction essential to the preservation of patronage; but, far from staving off popular election, it had tended in practice to introduce that system. The patron who wished to avoid contention was naturally disposed to defer to the people when he found them determined to reject any presentee who was not their own choice; and Dunlop, whose policy it had always been that patronage ought to be abolished, declared in 1836 that, if the Veto had "worked well, it had been by producing an abandonment of patronage, and his object was to secure this result in all cases and to all parishes." In the three years 1834-1837 the number of cases in which the patron had practically abdicated his right of selection is said to have been fifty-one out of a total of ninety-four vacancies; and a case occurred in 1838 in which the people had fixed upon a candidate and obtained his consent to be their minister without even consulting the patron and before the parish had so much as been declared vacant.[1]

But, whatever may have been the practical consequences of the Veto, it was enough to condemn it in the eyes of the Tories, if not also in those of the Whigs, that the House of Lords had pronounced it illegal and that the Church, after appealing to that tribunal, had refused to acquiesce in its decision. In the autumn of 1839 the Dean of Faculty published an enormous pamphlet in which he laboured to dis-

[1] Hope's *Letter to the Lord Chancellor*, 2nd edition, pp. 233-242.

suade Parliament from sanctioning a measure, not only bad in itself, but the pretext for an agitation which aimed at subjecting the Church to the people and the State to the Church; and, a few weeks later, the Non-Intrusionists were told bluntly in *Blackwood's Magazine*[1] that the only "collision" in which they were or could be involved was "between a sovereign and his subject, between the law and the lieges and between the judge and the litigant." Hope's pamphlet, though in the form of a letter to the Whig Chancellor, Lord Cottenham, was understood to be intended for his own political leaders,[2] and was so ill-arranged that Chalmers in his rejoinder had some excuse for referring to the author as "almost safe and beyond the reach of attack, because entrenched, as it were, in the mazes of his own confusion."

There was, however, one Conservative statesman who was prepared to attempt a compromise if, as seemed probable, the Government should decide not to intervene; and as early as January, 1840, he had begun to correspond both privately with Chalmers and formally with the Committee. The Earl of Aberdeen was favourable to Non-Intrusion as hitherto understood in the Church of Scotland, that is, subject to the approval of the Presbytery; and an agreement seemed almost to have been reached when the Committee gave up their demand for a right of dissent without reasons and

[1] November, 1839.

[2] They found it very tough reading. "The Dean is fearfully long," wrote Gladstone to Graham. "Tedious beyond endurance" was the verdict of the latter. Peel thought it no compliment that he was believed in some quarters to have inspired the pamphlet—"Whenever I employ John Hope to speak my opinions, I will ask him to convey them more briefly and more methodically than he conveys his own."—Stuart Parker's *Sir James Graham*, i. 375, 378.

consented to substitute a presbyterial for a congregational veto, and when, on the other hand, it was agreed that the Presbytery, unimpeded by any rule as to qualification, should be empowered to adjudicate on the whole circumstances of the case. A difficulty, however, arose when this *liberum arbitrium* was more closely examined. Aberdeen went so far as to concede that a presentee might be rejected—if the Presbytery could be persuaded to sustain and to record such an objection—though all that could be alleged against him was that he had red hair. He meant that even so irrational a prejudice as this might be deferred to if it were found to be insuperable. But the Committee took him to mean that the Church courts might be called upon to yield to objections which they themselves thought insufficient; for, though they had agreed that dissent must be accompanied with reasons, they still insisted that the Presbytery must be free, though no longer compelled, to give effect "to the opposition of the people, independent of *their* opinion of the reasons on which that opposition may be founded." That the Presbytery should be empowered to act contrary to their own judgment was so strange a form of freedom that Aberdeen seems to have thought it impossible that the *liberum arbitrium* could be thus construed. "Whether," wrote Dunlop to Buchanan, "he will ever come to understand us, I don't know, but I fear we shall never understand him." [1]

Aberdeen had had enough of the Non-Intrusion Committee—at all events he had ceased to correspond with them—when on May 5, 1840, he brought in a

[1] *The Earl of Aberdeen's Correspondence with Dr. Chalmers and the Non-Intrusion Committee.* There is an excellent critical account of this correspondence in Turner's *Scottish Secession of* 1843, chapter x.

Bill "to remove doubts respecting the admission of ministers to benefices in Scotland." The Bill was thus avowedly a declaratory one, and its author explained in a letter to Chalmers that it was intended "to declare the right of the Church to judge as fully and as freely as any man ought to desire." The Presbytery were to be restricted by no hard and fast rule—neither by a veto law binding them, with or without their approval, to give effect to an adverse vote on the part of the parishioners nor by any regard to "qualification," as the term had been defined in a technical sense by Lord Brougham. They were to invite objections, and in disposing of these were to consider the fitness of the presentee, not only for the ministry in general, but for the particular charge. This measure was an unpleasant surprise to the Committee, who found that it did not recognise the mere fact of dissent as a ground of rejection and that certain directions guiding rather than limiting the judgment of the Presbytery "would open up a question for the civil courts." It was intimated to Chalmers that these directions—the most obnoxious of which were borrowed from his own veto resolution of 1833—might be left out;[1] but the first objection was then said to be the principal one; and the Assembly, in accordance with the Committee's report, condemned the Bill and resolved to make every effort to prevent its becoming law.

In moving the second reading of his Bill on June 16, Aberdeen called upon the Lords to repel "the monstrous, the unheard of pretensions put forward by the Assembly," and mentioned that, though his only misgiving with regard to the measure was that

[1] *Lord Aberdeen's Correspondence*, pp. 69, 74.

it went too far in the recognition of spiritual independence, it had been described as "one which would hurl the Redeemer from his throne." Dalhousie, who had withdrawn in disgust from the preceding Assembly, sought to show that the Non-Intrusionist movement was merely "a Church agitation" fomented by the clergy in defiance of public opinion;[1] and Lord Rosebery maintained that the Bill, though it professed to be declaratory, "made many very important changes in the existing law"—changes in favour of the Church which Brougham said he would oppose as unnecessary and unwise. Candlish, who was present at one of these debates, reported that "the spirit of the peers is horrible," and that the Marquis of Breadalbane, the Church's only friend, "though abundantly hearty, is not very ready and is rather overborne in that den." The Prime Minister had announced his intention not to oppose the Bill; but, in view of the ill-feeling which had been excited on both sides, he now declared that it would be "imprudent, inexpedient, nay pernicious" to proceed with it; and on July 10 it was withdrawn.[2]

The Assembly of 1840 had to deal with a matter which threatened to have far graver consequences than the fate of this Bill. Non-Intrusion and spiritual independence had come to be associated only because the Veto Act had been pronounced illegal—indeed, they were logically incompatible, inasmuch as the one tended to depress and the other to exalt the jurisdiction of Church courts; and, though the Moderates had never accepted the second of these principles as it was understood by their opponents, they had evinced no

[1] On this point see Cockburn's *Journal*, i. 283.

[2] Hansard, 3rd series, liii. 1209, 1226; liv. 1205-1241; lv. 364-369, 593; Wilson's *Candlish*, pp. 119, 120.

small jealousy of the civil power. The motion that the Presbytery of Dunkeld should be required to disregard the interdict issued by the Court of Session in the Lethendy case had been opposed in the Assembly Commission by only six elders; the suspension of the seven Strathbogie ministers had been carried by 121 votes to 14; and the interdict which prohibited any one from preaching in their parishes had been declared "contrary to the liberties of the Church" by 107 votes to 9, whilst the Presbytery of Edinburgh had unanimously condemned it.[1] One has to bear in mind that Evangelicalism for the last fifteen or twenty years had been in the position occupied by Moderatism in the previous century when it gave a tone to the whole Church, and that the Strathbogie ministers, in the opinion of some of their friends, had acted in a manner needlessly provocative and rash.[2] When this case came before the Assembly on May 26, 1840, it was hoped by those who desired to have the suspension confirmed that the Moderates would conform to the policy they had hitherto pursued; but Cook had taken little or no part in the proceedings of the Commission; and he now defined the attitude of his party by opposing the confirmation of the sentence and by protesting against it in certain reasons of dissent as "unconstitutional, illegal and invalid." He had probably decided on this course after consulting his political friends; for Lord Aberdeen, in moving the second reading of his Bill on June 16, said that, unless there was some likelihood of a settlement before the month of August—when the Commission was empowered to proceed

[1] Buchanan, ii. 8, 41, 51; Hanna, iv. 189.

[2] For example, when they challenged the Assembly Commission by resolving, just before it met in December, 1839, to take Edwards on trials.

against the suspended ministers with a view to their deposition—a large number of the clergy would "then announce their intention not to obey the orders of the Assembly"; and, a fortnight later, those who had signed or who approved of the reasons of dissent were being privately solicited to form an association "for the defence of the constitution of the Church." This was answered on the other side by a number of ministers and elders who invited their brethren and friends to join them in "a holy covenant with God and with one another" to maintain the principles now contended for and to agitate for the abolition of patronage. Sir Robert Peel, whose return to power at the head of a Conservative Government could not be long delayed, had not yet expressed his opinion; but on July 27, in supporting a vote of £5000 for a new Assembly Hall, he took occasion to warn the advocates of spiritual independence that they could not be permitted to put their own interpretation on Acts of Parliament, and that no Bill more favourable to their claims than that which they had refused "could ever pass."[1]

The Non-Intrusionist manifesto which has just been mentioned was obviously an appeal to the Covenanting spirit; but the cleavage of opinion now frankly avowed made it clear that the conflict was not as in earlier days between the Church and the State but between two parties, one of which adhered to the Church of Scotland as judges found it in the statutes of the realm and the other to the same Church as they found it for themselves in what Chalmers called "the statute-book of Christians." The latter party did not deny

[1] Buchanan, ii. 125-170; Charteris's *Life of Professor Robertson*; Hansard, 3rd series, lvi. 1059, 1060.

that they would forfeit their right to remain in the Establishment if the civil and the scriptural code could not be reconciled; but there was little prospect of such a settlement; for the enactment of Presbytery in 1592 was construed by them, not as conferring a wide, though limited, jurisdiction, but as permitting the members of the Church, "when taken into the service of the State,"[1] to continue in all that they chose to regard as spiritual concerns under the rule of a supernatural sovereign who in practice could only be themselves. The clause in the Act which exempted from a previous statute asserting the royal supremacy "the privilege that God has given to the spiritual office-bearers in the kirk concerning heads of religion" was interpreted as a recognition of the divine right of Presbytery. A temporal institution, such as the Court of Session, must necessarily have been created when it was established, whereas in the case of a divine institution establishment could be no more than ratification; and, in answer to the objection that an Established Church must be subject to the power from which it derived its existence as such, it was deemed sufficient to say that in that case "a Christian State, as the creature, must be subordinate to the Church which gave it being."[2]

The principle which underlay this retort and was asserted or implied in all the arguments for spiritual independence—that the Church and not the Bible was the immediate basis of Christianity, or in other words that the Bible required an official interpreter—

[1] Chalmers in *Proceedings of the Assembly of* 1840, p. 116.

[2] *The Present Conflict between the Civil and Ecclesiastical Courts Examined*, by Rev. Andrew Gray, 3rd edition, 1839, p. 24. Chalmers pronounced this "one of the most masterly and conclusive reasonings which ever issued from the press."—*Reply to the Dean of Faculty*, p. 40, note.

was the same, despite its suspiciously Popish appearance, as that on which the Reformed and Covenanting clergy had based their claim to instruct the civil magistrate. The Evangelicals of the previous generation may not have been so far from this position as they supposed, but they would certainly have repudiated it with horror; and it may be of interest to see by what process it was reached by a writer who demanded of his hearers "one postulate alone," and that the truly Evangelical one, "that man is a fallen being." The State, according to this authority, was "the impersonated body politic of man as he is, that is, of man fallen and depraved," and could, therefore, have no principle of action that was not corrupt. Whether the Church interfered with the State or permitted the State to interfere with her, she was equally liable to "a vitiating influence"; and yet, if these antagonistic forces were not united, they must be in incessant conflict, and the only legitimate basis of union was obviously that neither should meddle with the internal affairs of the other. It had indeed been objected that the State could not ally itself with one of several communions without judging of its doctrine; but Romanists owed allegiance to a foreign potentate; Dissenters were Voluntaries; Anglicans acknowledged the sovereign as their head; and it must therefore be plain even to a corrupt "body politic" that Presbytery was its only suitable partner. The Scottish Church had but recently emerged from the reign of Moderatism, which was "the repose of the churchyard, where all is silence above and all is rottenness beneath." The outcry which now assailed her was "but the burst of baffled rage by which the world pursues the free steps of its invincible antagonist and destined con-

queror"; and, in order to appreciate the justice of her pretensions in the present crisis, one had only to peruse "with a fair and candid mind" these and other equally relevant texts: "Yet I have set my King upon my holy hill of Zion"; "The Lord said unto my Lord, Sit thou at my right hand until I make thine enemies my footstool"; "Unto us a child is born, unto us a Son is given, and the government shall be upon His shoulder."[1]

Such were the methods of criticism employed by even the most eminent of the Non-Intrusionists when they sought, as their phrase was, to "ascertain the mind of Christ"; and it is not surprising that their claim, in virtue of this equipment, to interpret the ecclesiastical constitution was repudiated, with some few exceptions, by men of all political parties and, as their own organ admitted, by twelve out of every thirteen newspapers.[2] Cook indeed told the Assembly of 1839 that one could "hardly meet with a man in a public conveyance" who did not condemn the Church's declaration of spiritual independence. Lord Dalhousie mentioned in the House of Lords that at a meeting in favour of the Veto in East Lothian there were three proprietors and magistrates, whilst at a meeting opposed to it there were forty-four; and at the other end of the social scale the Chartists "had opposed themselves all along to the Kirk's claims and had broken in upon her meetings to be outrageous on the side of the factor

[1] Hetherington's *Thoughts on the Connexion between Church and State*, pp. 14-25, 36, 37, 49. We are indebted to this writer for a *History of the Church of Scotland* which is a curiosity of fanaticism. In 1857 he was appointed Professor of Exegetical Theology in the Glasgow College of the Free Church.

[2] *Witness*, Feb. 1, 1840. Of 70 newspapers published in Scotland, 60 were against the Veto and 5 were for it.—Hansard, 3rd series, liv. 1232.

and the patron." On September 30, 1840, the Marquis of Breadalbane was entertained to a public dinner in Glasgow. Sir David Brewster and the Lord Provost were present; but the *Witness*, in the dearth of other influential names, was forced to fall back on Chalmers as "representing nine-tenths, and these by far the best, of the people of this country." Petitions praying for the intervention of Parliament are said to have been signed in five or six weeks by more than 180,000 males, English and Irish as well as Scots, whilst the counter-petitioners are said to have numbered only 1200; but what Parliament was asked to sanction was more frequently the principle of Non-Intrusion than the Veto; and many of the petitions were from rural parishes and were signed chiefly by farm-labourers. The men and women of this class had lost little of that devotion to the literature of the Covenant—works of "technical divinity and mystical rant"—which had been noted as their characteristic in 1801.[1] The Veto could not fail indeed to be popular amongst those in whose interest it had avowedly been introduced; and the *Witness* derived much encouragement from the "peasant correspondents" to whom the crisis in the Church had "suggested the unwonted labour of composition."[2]

It was, however, in a part of the country which had no association with the Covenant, or even with the Reformation, that the movement elicited the keenest response. The three great crises in the history of the Scottish Reformed Church had each appealed specially to a certain section of the people, and in each of them

[1] See p. 115.

[2] *Witness*, Feb. 1, Sept. 26, 30, Oct. 3, Dec. 2; *Scotsman*, June 20, 1840; Hansard, 3rd series, liv. 1230, 1231; Buchanan, ii. 53.

a new vein of enthusiasm had been tapped. Knox, like the first preachers of Christianity, found his readiest audience in the towns; the peasantry of the south-west, whom the Reformation had little affected, were the most jealous Covenanters; and nowhere was Non-Intrusion, or at least the type of piety it represented, so popular as in Ross-shire, Sutherland and Caithness. These remote districts, which the roads and bridges of Telford had but recently redeemed from isolation, were in the phase of religious development which had been common in the southern Lowlands about the middle of the eighteenth century. There was the same devotion to preachers who had failed to keep pace even with the slow advance of Evangelical culture, the same chronic excitement, and the same tendency to assemble in huge numbers for the open air communion. But the Celtic temperament had added at least one distinctive feature. The influence accorded to laymen had always sufficed to vindicate Scottish Presbytery from the charge of priestly domination; but this element was so strong in the northern Highlands that almost every parish had its group of leaders whose pretensions to superior sanctity were indicated by long hair, a long cloak and a cotton handkerchief worn in place of a cap, and who, in order to distinguish them from the clergy, were known as "the Men." Those who belonged to this order or who aspired to join it had a special opportunity for the display of their talents in the Friday prayer-meeting which preceded the communion; and, as few of them knew anything but Gaelic, and some of them could not read even that, their prayers and exhortations owed little to what they contemptuously called "head-learning." Even where patronage had given them an Evangelical

pastor, "these Highland Fakirs" were not always content with his ministrations, unless he was submissive enough to be their tool; and the Moderate minister met with so little favour at their hands that they frequently headed a secession from his parish or even held prayer-meetings during the hours of service. We are told by their apologist that they never thrust themselves "upon those ministers who were what ministers should be," and that all that "the ungodly ministers" could allege against them was that "these they would not hear."[1] Largely owing to their influence—which, however, differed little in this respect from that of the pulpit—very few of those who thronged in such numbers to the communion ventured to participate; for it was a common belief throughout the Highlands that this sacrament could be taken without risk of damnation only by the elect; and the result of such teaching was to furnish a new argument to opponents of the Veto Act when kirk sessions were required under that law to prepare a list of those who in their double capacity of male heads of families and communicants were entitled to record their dissent. In the parish of Daviot, for example, with a population of 1681 persons, only eleven could be put on the roll.[2]

The process or "libel" with which the Assembly had threatened the Strathbogie ministers was matured at the quarterly meetings of the Commission, and in

[1] Kennedy's *The Days of the Fathers in Ross-shire*, pp. 83, 87, 88, 105. "Never surely is there a more attractive exercise of intellect than when, divested of all literary acquirements, it enters directly into 'the mysteries of the kingdom' and comes forth in a panoply of Scripture truth. Light from Heaven then irradiates all the gifts of the speaker. Traces of learning, mingled with the halo of this light, would be spots of darkness."—*Ibid.* p. 91.

[2] *The Church and her Accuser in the Far North*, 1850, and *Fanaticism in the North*, 1852, both by "Investigator"; *Quarterly Review*, June, 1851.

March, 1841, it was found proven. But as early as February, 1840, these ministers, having carried out their resolution to take Edwards on trials, had found him qualified ; and, as they hesitated for several months to proceed further, he obtained a decree from the Court of Session requiring them to admit him as minister of Marnoch. This they did, amidst scenes of popular protest and disorder, on January 4, 1841. The caution shown by the Presbytery in this instance was even more ill-advised than their former rashness. If they had authority to try the presentee for ordination, they must have had authority to ordain him, and they need not have aggravated an intolerable situation by appealing on so invidious a question to the civil power. Nobody denied that ordination was a purely spiritual gift, but there was nothing spiritual in the conditions under which, as a title to endowment, it was to be bestowed ;[1] and in this case the presentee had fulfilled these conditions, since he had been nominated by a patron and since a Presbytery in what Brougham called " the free, unfettered, discretional and, if you would, arbitrary exercise of their ecclesiastical functions " had pronounced him to be worthy of a pastoral charge. This was spiritual independence, but not as understood by the Non-Intrusionists, who, though they had drawn so subtle a distinction between the benefice and the cure, were unable to see any difference between the conditions precedent to ordination and

[1] How little Chalmers understood the legal aspect of this question is evident from his suggesting as a test of its significance that a person who had been left an annuity on condition that he was a member of the Establishment might prosecute the Church for not admitting him as such. Well might a Moderate leader say that " a more inconclusive illustration was never introduced " ; for it implied that the Church was no more bound by a statute regulating its constitution than by the caprice of a private and unknown individual.—*Proceedings of the Assembly of* 1840, pp. 115, 154.

the thing itself. Cunningham said he hoped the Presbytery would ordain in the name of the Lord President or of Queen Victoria; and Hugh Miller declared that the Court of Session would not have acted more illegally "had it sent down Lord Gillies or the Lord President to administer the sacraments to the parish of Marnoch."[1]

Meanwhile the Government, whilst asserting their determination to uphold the law and to protect those who obeyed it, were far from discountenancing the popular party in the Church. Rutherford and Fox Maule—the Lord Advocate and the Under-Secretary at the Home Office—whom Lord Aberdeen sought to restrain by calling upon Melbourne to bring the subordinate members of his administration into harmony with himself, were the chief promoters of this policy; and a remarkable example of it occurred in March, 1841. Candlish was by no means the only minister who had violated the second Strathbogie interdict by preaching within the prohibited area; but he had done so more conspicuously than any of his colleagues, for he had presided at the opening of a chapel in Huntly which had been erected in close proximity to the parish church. In accordance with the recommendation of a Royal Commission appointed several years earlier to inquire into the working of the Scottish Universities, the Government now proposed to found a Chair of Biblical Criticism at Edinburgh; and, about a week after Candlish's visit to Huntly, it became known that he had been selected for the post. The *Scotsman* at once protested, and so did the Conservatives, of whom Cunningham was then writing in the gloomiest terms from London—he found them "so ferocious and dead-

[1] Buchanan, ii. 187; *Witness*, Dec. 23, 1840.

set against the Church." On March 9, Lord Aberdeen referred to the matter in Parliament, remarking that the Professor-designate, if he met with his deserts, would "inevitably be sent to prison, where he would have leisure to compose the syllabus of his lectures." Lord Normanby, the Home Secretary, admitted the favour assigned, but not yet intimated, to Candlish, but said that the Government had abandoned their intention "the moment they heard that he had placed himself in opposition to the law"—a statement which satisfied neither side.[1]

Some two months later, Lord Dunfermline moved for a copy of the libel against the Strathbogie ministers, whose suspension he characterised as "astounding," and said that it seemed to be recognised in Scotland that the patronage of Crown livings was reserved for those who had opposed the law. The unfortunate Lord Normanby could only protest that, though such persons had been placed on the Government leets, it was not on account of their opinions; and, as the Cabinet had decided that this was "not a favourable moment" to establish the professorship which they had intended for Candlish, he had to combat as best he could the suspicion of "a job created for this person's especial advantage."[2] But it was the speeches of the Prime Minister on this and on a subsequent occasion

[1] Hansard, 3rd series, lvii. 65; *Witness*, March 6, 20, 1841. The account given in Wilson's *Memorials of Candlish* is difficult to reconcile with Candlish's letter to Lord Normanby in the *Witness*, March 20. Chalmers, an unavowed candidate for the Chair of Theology in Glasgow, had been rejected by the Senatus in the previous year, and Sir James Graham, the Lord Rector, had come down to Glasgow to oppose him.—Hanna, iv. 213.

[2] Candlish's only serious rival was Dr. Lee, whom Hugh Miller characterised as "unquestionably a learned man, a sort of literary tulip-fancier, skilful in roots."—*Witness*, March, 13, 1841.

which caused the greatest surprise; for he referred to the controversy between the Assembly and the Court of Session as quite an open question, and yet, when Aberdeen had drawn his attention to the almost Popish pretensions of the former, he coolly remarked, "The Church of Scotland was equal in presumption to the Church of Rome at any day, of which many instances could be produced from history.[1]"

Melbourne owed so little to Scottish Evangelicalism that his reluctance to oppose it is not easily explained; but he had seen something of the enthusiasts and extremists who now dominated the Church, and had good grounds for his opinion that to attempt legislation would be a hopeless and a thankless task. Lord Aberdeen's Bill is said to have been received with general favour till it was officially condemned.[2] Even Buchanan, after listening to the speech in which it was introduced, is said to have expressed his satisfaction to more than one member of Parliament;[3] and the leaders soon found that their violent denunciation of the measure had overshot the mark. In June, 1840, about a week after the close of the Assembly, Dunlop and Candlish were dismissed from the joint secretaryship of the Non-Intrusion Committee on the ground that their opinions were an obstacle to a settlement of the question, and soon afterwards Dr. Gordon, who had succeeded Chalmers as Convener, was replaced by Dr. Mackellar.[4] The new Secretary—Mr. Hamilton, an Advocate—was the author of a pamphlet in which some remarkable admissions were made. It was here stated that "the prevailing opinion in the

[1] Hansard, 3rd series, lvii. 1382; lviii. 1503. [2] Turner, p. 233.

[3] *Practical Remarks on the Scotch Church Question*, 1841, p. 18.

[4] *Scotsman*, June 13, 1840.

Church" was in favour of retaining the Veto, but subject to "the authoritative control of the Presbytery" —a safeguard which the Veto Act expressly denied; and the *liberum arbitrium*, so zealously contended for in the correspondence with Lord Aberdeen, was said to have been "warmly approved of by Chalmers," but not by Buchanan or by Hamilton himself, and to have been the mode "which was least favourably regarded by the Church in general."[1] In subsequent editions of this pamphlet, "adapted to the present state of the discussion," the passage inimical to the Veto was suppressed;[2] and we may therefore assume that the Vetoists had emerged from their temporary eclipse.

The Duke of Argyll had, in fact, been induced to bring in a Bill which was practically the Veto Law, with this difference that all male communicants over twenty-one years of age, and not merely the male heads of families, were to have the right of dissent, and that the Presbytery were required to make sure—if they could do so without asking for reasons—that the dissent "does not proceed from factious or malicious motives." The Bill was introduced on May 6, 1841, and served only to justify Lord Aberdeen in his prediction that even the Veto would not satisfy people who could command so authoritative an oracle as "the mind of Christ." What, he had asked, would happen if the Lords gave them the Veto? "Why, that they would ascertain the mind of Christ that there should be no patrons." Argyll read letters from the Non-Intrusion Committee as evidence of their opinion

[1] And yet it was the refusal of this concession which had been denounced as an attempt to "hurl the Redeemer from his throne."

[2] *Practical Remarks*, pp. 5, 6, 16.

that the controversy could be settled without the abolition of patronage; but the second reading of the Bill was deferred till after the meeting of the Assembly; and, if there was ever any hope that Parliament might be induced to accept such a measure, it was then dispelled. The Assembly, indeed, declared in favour of the Bill by a majority of more than two to one; but Candlish, whom the Duke had quoted in support of his scheme, announced in the *Witness* that, if the whole of his letter had been read, it would have shown that he regarded patronage as "utterly indefensible, unreasonable, unscriptural and therefore unlawful," and was pledged "to seek its entire abolition"; and Cunningham all but succeeded in carrying a motion against patronage as "a plant which our heavenly Father hath not planted and which must therefore be rooted out." He had previously denounced this "plant," not merely as an intruder in the vineyard, but as "earthly, sensual, devilish." [1]

The Assembly of 1841 had, however, taken a more decisive step than that of stultifying its own demand for the legalisation of the Veto. The Strathbogie ministers, having previously been suspended, were now deposed. The minority protested that they could not "cease to regard these men as still ministers of the Established Church"; and five of the party were soon in London as members of a deputation to lay their case before the Government and to solicit an assurance of support. Melbourne, though he still refused to resign, had been compelled to advise a dissolution of Parliament and was consequently less disposed than ever to intervene; but Sir Robert Peel, in the course of an

[1] Hansard, 3rd series, liv. 1210, lvii. 1478-1488; *Practical Remarks* p. 165; Buchanan, ii. 223; *Quarterly Review*, lxviii. 245.

interview with Argyll and certain representatives of the Church, said that, whatever might be the merits of the Duke's Bill, it was prospective only, and that he did not think the House of Lords would consent merely to legislate for the future, if the General Assembly should persist in its claim of authority to depose ministers of the Church upon this ground only, that they had obeyed the law; and before the middle of July, 1841, it had become clear from the election results that the statesman who thus expressed himself, and his colleague, Lord Aberdeen, would shortly be in power.[1] Encouraged by these appearances in their favour, the Moderate leaders associated themselves with the deposed ministers by preaching in their pulpits, and Robertson of Ellon[2] was one of a smaller number who assisted them in dispensing the communion. At the meeting of the Assembly Commission in August these last were referred for censure to their respective Presbyteries. Cook protested on behalf of his party that such a proceeding made the breach irreparable, and would compel those who dissented from it to ascertain whether they or their opponents "are to be held by the legislature as constituting the Established Church."[3]

A special meeting of the Commission and a public

[1] Peel obtained a majority of ninety, but there was little change in regard to Scotland, which had been represented in the previous Parliament by 34 Liberals and 19 Conservatives, and now returned 31 Liberals and 22 Conservatives. There were Non-Intrusionists in both parties; but the *Witness* gave a general support to the Whigs and we find it (June 19) inciting the Presbyterian tenantry to assert themselves against "an Episcopalian or semi-sceptical aristocracy."

[2] Cook was the Moderate leader, but Robertson headed the more cautious of his followers, as Dr. Bryce headed the more extreme. Hugh Miller described the former as "the second name and first man of his party."—Charteris's *Robertson*, p. 117.

[3] Buchanan, ii. 289, 301.

meeting were convened by the Non-Intrusionists in answer to this protest. They had not hitherto maintained that there could be but one embodiment of the Establishment principle, which they had upheld in its most general aspect against the Voluntaries—indeed they had recognised it in so Erastian a form as the Church of England ; but Candlish now announced as their conviction " that the Church ought to be established on the principles we are contending for or that there should be no establishment in the land at all " ; and statesmen were invited to the " fearful contemplation " which this avowal involved. That they had little hope of favour from a Conservative Cabinet and were preparing rather to justify than to avert their secession is evident from the *Memorial to Her Majesty's Government* which they presented in September, 1841, and subsequently published. One cannot read without sympathy the opening paragraphs of this document in which they show how completely they had been misled both by their own and by the Crown lawyers in regard to the legality of the Veto Act ; and there is dignity as well as audacity in their concluding demand. Here they distinguish between the independent jurisdiction of the Church which—despite their controversy with the Court of Session—they assume to be beyond question and the Non-Intrusion principle which cannot be applied without a modification of the law of patronage ; and they say that, whilst the minority are asking for an Act of Parliament to protect them against the Church, they need no such measure to protect the Church against the State, " being satisfied that if her principles are not already secured to her, it must be beyond the power of human language and laws to secure them now."

The promoters of Argyll's Bill had naturally appealed in vain to the Moderates to unite with them in its support; but they had hitherto succeeded in overcoming a tendency to division amongst themselves; and the depressed, though courageous, tone of the *Memorial* may have been due to their perception that unanimity could no longer be preserved. Some of the Evangelical clergy in the West of Scotland had begun to question the infallibility of their brethren at Edinburgh as interpreters of "the mind of Christ," and on several occasions had submitted with more docility than conviction "when the orthodox interpretation arrived from the East";[1] and, now that the Church had rejected one mode of settlement and Parliament was certain to reject another, they met at Glasgow on September 22 and issued a declaration of their hostility to the Veto Law.[2] Candlish was no more likely to recommend the rescinding of that Act without compensation than was Peel to advise its recognition; and at this crisis Sir George Sinclair, seconded by Hope, came forward with a proposal for bridging the chasm. His suggestion was that a clause should be inserted in Lord Aberdeen's Bill empowering the Presbytery to reject a presentee on the ground of reasons or objections which they themselves considered inconclusive. This was the concession which Aberdeen had refused in the previous year; but his reluctance was now with difficulty overcome; and the Non-Intrusion Committee were induced to affirm that, though still far from being satisfied with the Bill, they were prepared to accept it as thus amended and would even regard it as "a great boon." The same

[1] Turner, p. 233.

[2] Morren's *My Church Politics in Letters to my People*, p. 13; Hamilton's *Remonstrance*, p. 63.

answer was returned in October when the Sinclair clause was submitted to them as a possible basis of legislation by the Home Secretary, Sir James Graham; but they made it a condition of their assent that the Bill should be passed in the few remaining days of the session; and this was a condition which was not, and hardly could have been, fulfilled. The Government again approached the Committee on December 28; but the Solicitor-General who conducted the negotiation was now informed that the Presbytery must have "absolute power" to reject, not only when unconvinced by the objections of the people, but even when the people had abandoned their objections and only their "aversion"[1] remained. A position so far beyond that which had been assumed in October appeared "inadmissible" to a minority of the Committee as well as to Sir James Graham. "What," asked one of them, "would be the nature and value of that residuum of objection, aversion or dislike which remains after the cause or ground for it is confessedly given up? Is it conceivable that any man of ordinary integrity would entertain it, or of ordinary understanding acknowledge and offer it."[2] Thus the instinctive piety of "our cottage patriarchs" was still to prevail—formerly reasonless, now frankly irrational; and the only difference between the old system and the new was to be this—and it was no doubt important—that what the Presbytery were compelled to do under the Veto Law

[1] "Aversion" was defined by Candlish as "a most honest and conscientious conviction that the settlement of the presentee would not be for the spiritual good of the congregation."—*Narrative Relating to Certain Recent Negotiations*, p. 27. As Sir George Sinclair pointed out (*Selection from Correspondence*, p. 185), there was nothing to prevent this being urged as an "objection."

[2] *Dr. Simpson's Statement*, p. 8.

was now to be left to their discretion. Henceforth the Non-Intrusionists had to reckon with a widening of the split which had originated in the Glasgow manifesto; and the dissentients came to be known as "The Forty" from a remark made by one of their number next spring in the Synod of Glasgow and Ayr—"There are forty of us in this Synod."[1]

Whether the Committee had withdrawn their acceptance of the Sinclair clause or whether, as few but themselves believed, the sense in which they interpreted that clause had hitherto been misunderstood, is of little practical interest; for the question of spiritual independence, which was not involved in the negotiation, presented far greater difficulties than that of Non-Intrusion. Sir George Sinclair, with the concurrence of Candlish and Cunningham, had indeed prepared a letter of contrition which the Strathbogie ministers were requested to sign—a letter which suggested indiscretion rather than guilt; but these ministers refused to admit that they had done anything to palliate, much less to merit, deposition;[2] and the district which had furnished this example of clerical revolt was now still further to justify its reputation as the "Dead Sea of Moderatism."

The Presbytery of Garioch had made an unfortunate attempt to fulfil both the ecclesiastical and the civil law in their dealings with a Mr. Middleton, an ordained minister, who had received a presentation as colleague and successor to the pastor of Culsamond. They had proceeded under the Veto Act till confronted, contrary to their expectation, with a barrier of dissent, when, instead of referring the case to the next Assembly,

[1] On the whole subject see Turner, chapter xi.

[2] Bryce, ii. 204; Parker's *Sir Robert Peel*, iii. 77.

as had been decreed in 1839, they resolved by a majority of seven to five to put aside the Act as illegal and to induct the presentee. Middleton was accordingly inducted on November 11, 1841, not in the Church, which was the scene of a violent disturbance, but in the manse. The dissentient parishioners would have met with little sympathy in the Synod of Aberdeen, and probably for this reason they took the unusual course of appealing to the Assembly Commission, which received their complaint, prohibited Middleton from officiating till his case should be disposed of, and empowered the minority of the Presbytery to provide for the discharge of his duties. The presentee now applied to the Court of Session to have this sentence annulled. Lord Ivory disclaimed jurisdiction in what he regarded as a purely ecclesiastical dispute, but this decision was reversed in the Inner House, where three of the four judges decided that the whole proceedings had arisen out of the Veto Act and were consequently illegal.[1]

The new Government did their best to avoid the reproach which they had brought against their predecessors —that of promoting lawless clerics and of not attempting to reconcile the civil and the spiritual courts. The Crown patronage was safe in the hands of Sir James Graham, a sincere pietist, who put aside all political considerations and refused to promise livings "even to my most intimate friends"; but the Evangelical with an inclination to law and order, whom he deemed most eligible for a presentation, cannot always have been easy to find. Dr. Muir, himself an embodiment of this type, was his chief adviser; and we find them at one in rejecting a preacher of "the cold, meta-

[1] *Session Cases*, 1842, iv. D. 957.

physical and didactic style." In the other and much the more difficult part of his task the Home Secretary was equally conscientious. He had not been a month in office when he took up the compromise suggested by Sir George Sinclair; and on November 26, after the Committee had informed him of their view that the people, when they had been reasoned out of their objections to a presentee, must be allowed to indulge their "aversion," he wrote to a Scottish member of Parliament: "I quite despair of any remedy. The leaders of the nonintrusion party will listen to no reasonable terms, and the evil must work its way." Nevertheless, as we have seen, the project was renewed on December 28, when certain members of the Committee were invited to a conference with the Solicitor-General; and the latter, on the failure of this second effort, was directed "not to encourage any further communications from these parties, who are evidently acting with bad faith and who are organising resistance to the law, while they seek to gain importance by negotiating, as they call it, with the Government."[1]

On March 15, 1842, the House of Commons heard from Graham—what the other House had so often heard from Melbourne—that the Cabinet could find no opportunity for legislation and must content itself with upholding the law; but this declaration, repeated a month later, was soon recalled. The Duke of Argyll had been persuaded to revive the Bill for legalising the Veto—"all but hopeless," as he himself now believed it to be[2]—which he had withdrawn towards the close of the last Parliament. This time it was

[1] Stuart Parker's *Sir Robert Peel*, iii. 82, and *Sir James Graham*, i. 383-386.

[2] Hanna, iv. 272.

to originate in the Commons; and on May 4 Campbell of Monzie, the member for Argyllshire, was about to move the second reading, when Graham appealed to him to put aside his measure for six weeks on the ground that the Government had information from persons connected with the popular party in the Church which led them "to believe that a favourable opportunity for the settlement of these long existing differences has arrived," and consequently that they themselves would be able to bring in a Bill. Campbell assented to this suggestion, of which he had been privately informed; but some of his more zealous supporters, such as Rutherford and Fox Maule, suspecting that nothing more was intended than a new edition of Lord Aberdeen's Bill, refused to give way; and the postponement was carried against them by a majority of 131 to 43. "The Forty" had in fact intimated to the Government their readiness to accept the original and official reading of the Sinclair clause. Candlish blamed them for having "come across" the progress of Campbell's Bill; but he himself was preparing measures which could not but be fatal to any such scheme, and had no idea of conceding anything to "traitors and renegades like Simpson and his crew."[1]

The Assembly which met on May 19, 1842, was to be the last of the undivided Church, and its proceedings were well calculated to precipitate a crisis. Patronage, which had escaped condemnation in the previous year by only six votes, was now denounced, and its abolition demanded, by 216 to 147, as "the main cause of the difficulties in which the Church is at present involved," and the eleven ministers who had assisted their deposed

[1] Hansard, 3rd Series, lxiii. 97-110; Wilson's *Candlish*, pp. 188, 192; Buchanan, ii. 340.

brethren in dispensing the sacrament were suspended from their judicial as distinguished from their pastoral functions. But the event of most importance was the adoption by the Assembly of a statement in regard to its constitutional position which was entitled a "Claim Declaration and Protest," and is commonly known as the Claim of Right. This document begins with an assertion that the liberties, rights and privileges of the Church, though secured by statutes which ought to have placed them "beyond the reach of danger or invasion," have of late been assailed by the Court of Session "to an extent that threatens their entire subversion." Much the longest part is the preamble enumerating these statutes as well as the decisions by which they are said to have been upheld in the eighteenth century[1] and perverted in the nineteenth; and the Assembly then claim to be protected "from the foresaid unconstitutional and illegal encroachments of the said Court of Session," declare that they cannot "carry on the government of Christ's Church subject to the coercion attempted by the Court of Session as above set forth," and protest that all Acts of Parliament, "passed without the consent of this Church and nation" and prejudicial to the government of the former as recognised at the Union, are and shall be, except in regard to their civil consequences, "void and null." It is obvious that the value of the claim and the declaration can be neither more nor less than that of the construction placed on the laws which determined the Church's relation to the State—a matter in which

[1] See for these Macgeorge's *The Statements in the Claim of Right: Are They True?* and Morren's *Church Politics*, p. 47. What can be said on the other side will be found in Moncreiff's *Vindication of the Free Church Claim of Right*, p. 129.

the Court of Session, if not a more competent, was at least a more disinterested judge; but there is no need to insist on this, as the Assembly are frank enough to avow in their protest that what they desired to annul at pleasure was not the judicial interpretation of these laws—in so far at least as they had been passed since the Union [1] or might yet be passed—but the laws themselves.

The Claim of Right and an address for the abolition of patronage were to be laid before the Queen, and some of the leading Churchmen thought it worth while to anticipate their favourable reception by endeavouring to come to terms with the Strathbogie ministers. Lord Bute, the Queen's Commissioner to the Assembly, had prepared a letter of contrition "less full and explicit" than that which these divines had refused to endorse when tendered to them by Sir George Sinclair; and Buchanan, in communicating this project to Peel, said he thought it would be "crowned with success" if the Government were disposed to settle the Church question. Peel replied on June 20 that the proceedings and declarations of the Assembly had made legislation impossible.[2] A few days earlier, the Speaker had disposed of Campbell's Bill by ruling that, as it affected the royal prerogative, it could not proceed further without the consent of the Crown.

A rupture between the two jurisdictions which had so long been hovering on the brink of open war was

[1] The Act of Union could be of no use to the Non-Intrusionists, since it merely secured to the Church that concession of spiritual independence, the extent, and not the fact, of which was the sole point in dispute. One of their leaders, Dr. Patrick M'Farlan, maintained that the Church had full liberty to alter the Confession of Faith which is embodied in that Act.—*Supplementary Letter* in reply to Morren, p. 20.

[2] Walker's *Robert Buchanan*, pp. 201-204.

now almost inevitable; and meanwhile the Court of Session had perpetrated the most unpardonable of all its "encroachments" by exposing the fiction of respect for the sphere of civil law. We have seen that the House of Lords in May, 1839, had decided that the Presbytery of Auchterarder had acted illegally and undutifully in refusing to examine for ordination a vetoed presentee. A majority of the Presbytery refused to give effect to this judgment, and at the end of the year Lord Kinnoull and Mr. Young raised an action of damages. The case was tried by the First Division, to which it had been remitted by the Lord Ordinary, on March 5, 1841; and all the four judges, including Lord Fullerton who had hitherto sided with the Church, declared in favour of the pursuers.[1] It might have been supposed that the Non-Intrusionists had precluded themselves from contesting this decision, since, in accordance with their theory of two co-ordinate powers, they had always maintained that the laws of the Establishment were to be interpreted civilly by the State, spiritually by the Church. Their counsel in the first Auchterarder case had indeed expressly admitted that the civil power may decide "to the effect of determining what the civil consequences of any ecclesiastical judgment ought to be"; and Cunningham in dealing with the Marnoch case had actually referred to an action for damages as at least "abstractly competent" in such cases "because it is not assuming jurisdiction in ecclesiastical matters, but appeals rather to men's pockets."[2] They had preferred, however, to do homage to the law by renouncing the benefice as distinguished from the cure—a course which, as was well said, had

[1] *Session Cases*, iii. D. 778.

[2] Morren's *Church Politics*, p. 39.

this advantage, that it involved, "not the loss of any of their own civil emoluments, but those only of a man who had no existence, because they refused to give him existence, *viz.* the minister of the vacant parish of Auchterarder"; [1] and they persisted in this course, though they could now do so only at the cost of dictating to the Court of Session in a question so clearly within its province as that of the appropriate remedy for a civil wrong. There were other judgments of the Court of Session which its accusers had denounced as unconstitutional as well as grievous; but this was the only one from which they ventured to appeal; for, though the Church could afford to lose any amount of hypothetical stipend, it could not, as Candlish said, "go on" if every application of its Veto Law was to result in a claim for damages which in this case—whatever might be the sum awarded by a jury—amounted to £16,000. The question was consequently brought before the Lords; and on August 9, 1842, the judgment of the Court of Session was unanimously confirmed.[2]

Peel's letter of June 30 to Buchanan must have made it clear to one at least of the Non-Intrusionist leaders that he had resolved to refuse their demands; but no reply to the Claim of Right and the address for the abolition of patronage had yet been received; and, now that the House of Lords had dismissed their appeal, they could not afford to wait. The Assembly Commission was to meet as usual on November 16;

[1] Morren's *Church Politics*, p. 40.

[2] The decision did undoubtedly restrict spiritual independence, but only because that principle had been advanced from the right to ordain or not to ordain, which was legal, to the right to try or not to try, which was illegal; and this again was a consequence of the Veto Act which had made the will of the people a bar to "trials," instead of, as formerly, an element to be considered in ordination.

and, in order to procure such an expression of opinion as might influence, if not overawe, the Government, it was proposed to hold on the following day what Chalmers called "a general convocation of all the right-minded clergy."[1] The circular issued in accordance with this scheme insisted on the necessity of a change in the law and barely hinted at the possibility of secession. It was signed by thirty-two ministers; and Buchanan, in sending a copy to Peel, mentioned that at least six or seven hundred ministers were believed to be of the same mind, and also, as showing the need for immediate legislation, that actions had been raised against three Presbyteries which, if successful, would place them in the same position as that of Auchterarder. The Commission resolved to prepare a memorial in furtherance of the Claim of Right and the anti-patronage petition; and the outcome of the Convocation, which sat in private for a week,[2] was another memorial in which were embodied two series of resolutions signed respectively by 423 and by 354 ministers. The first of these was merely a restatement of the Church's case against the Court of Session; but the second, which went further than could reasonably have been anticipated from the terms in which the meeting had been called,[3] announced "the determination of the brethren now assembled, if no measure such as they have declared to be indispensable be granted," to resign their livings and "to cast themselves on such provision as God in His Providence may afford."

[1] Hanna, iv. 306.

[2] No adequate record of the proceedings was available till Dr. Wilson published his *Memorials of Candlish* in 1880.

[3] Guthrie (ii. 51) says that most of the clergy came to the Convocation "most averse, if not doggedly and resolutely opposed, to our plans."

Negatively as well as positively the measure which would avert this sacrifice was defined in the accompanying memorial. The Church of Scotland had all the spiritual independence which was involved in the fact that there was no right of appeal from the General Assembly to any civil tribunal; but this jurisdiction, wide as it was, had been conferred and was limited by statute; and hence the Court of Session, though debarred from reviewing the decision of an ecclesiastical court, was bound to consider, when called upon, whether it had been pronounced in accordance with law. The memorialists expressly say that this sort of independence will not do for them. What they want is a measure which will empower the Church to deal with regulations imposed upon her by Parliament "according to her own sense of duty alone."[1] To legislate for people who took this view of legal obligations was obviously impossible; and this in substance was the answer of the Government to the Claim of Right and the plea for the abolition of patronage when it was communicated by Sir James Graham on January 4, 1843. To allow time for the reconsideration of demands thought to be unreasonable was, he said, the sole reason of its long delay.

An Address to the People of Scotland was issued by the Convocation in which they published their resolutions and sought to place themselves in line with the Ultra-Presbyterian tradition. In the seventeenth century the civil power had encroached to such good purpose on the spiritual domain that it had suppressed

[1] "Our claim was extravagant, no Legislature on earth would establish and endow a Church on such principles," said Dr. Burns of Paisley, himself a future Free Churchman.—*Facts not Falsehoods, by a Parish Minister*, p. 15.

the General Assembly, deprived ministers without troubling to distinguish between *officium* and *beneficium*, and established absolutism in the Church as well as in the State. Yet the people were told that in no previous period of the Church's history "were the spiritual jurisdiction of her courts and the liberties of our congregations more seriously endangered than they are at the present hour." It was indeed "no longer the supremacy of the Crown but the supremacy of the law" that they had to dread; but this change, far from minimising the threat of "civil control in spiritual things," made it "only the more insidious and therefore the more dangerous." [1]

One of the charges brought against the Court of Session in this manifesto was that they had "attempted to control the exercise of discipline even in cases of moral delinquency"; and, as "even" delinquents must be protected when the courts which tried them are found to have been illegally constituted, the charge is one which discredits either the honesty or the intelligence of those who made it. That discipline had in certain cases been interfered with was due to the Chapel Act [2] of 1834, the validity of which had always been doubtful. The Evangelicals in this matter took their stand on a distinction similar to that which they had drawn in regard to the Veto Act; for, just as they maintained that the Veto Act, if it were found to be illegal, could result only in divorcing the benefice from the cure, so they contended that the Church could create a parish for spiritual purposes only—*quoad sacra tantum*; and it is remarkable that Sir Henry Moncreiff, who had repudiated the first of these contentions,[3] was equally opposed to the second. The

[1] *Address*, pp. 9, 13. [2] See p. 290. [3] See p. 320.

term *quoad sacra* is said to have originated in 1821, when a resolution of the Presbytery of Edinburgh to recognise such a parish was dissented from by Sir Henry on the ground that a civil court for "the plantation of kirks" had existed since the Union, and that "there are a variety of civil rights vested in every parish legally constituted, to the exercise of which a parish erected contrary to law might be completely incompetent." In 1834 not only were all chapels of ease erected into *quoad sacra* parishes, but their incumbents were to be enrolled as members of Presbytery, and were therefore to have an equal voice with their beneficed brethren in the discharge of such civil functions as the judging of presentations, the granting of decrees for the building and repair of churches and manses, and the appointment and removal of schoolmasters. In 1839, when the provisions of this Act were extended to ministers of the Associate or Burgher Synod,[1] the Presbytery of Irvine admitted Mr. Clelland, the Burgher minister at Stewarton, as one of their members, and resolved to place under his oversight a portion of the parish. The patron and principal heritors took exception to this step, and so also, when it had been disallowed by the Court of Session, did eleven members of the Presbytery who claimed to be a majority, inasmuch as they had been overborne by the votes of five persons, all of whom were themselves either ministers or elders of *quoad sacra* parishes; and on January 20, 1843, an interdict which the heritors had obtained in the terms of their complaint was confirmed by a majority of the whole Court.[2]

[1] See p. 279.

[2] *Report of Stewarton Case.* See especially pp. 5, 47. There were five dissentient judges—the same as in the first Auchterarder case, except

Nothing that had been done in the eight Assemblies which had met since 1834 could now be regarded as beyond challenge, as they had all been vitiated by the presence of *quoad sacra* ministers; but so many of the Evangelicals were already pledged to secession that they had little interest as a party in the permanence of their work. They could not afford, however, to estrange public opinion; and on March 7, 1843, Mr. Fox Maule moved that the House of Commons should consider a petition in support of the Claim of Right which he had recently presented from the Assembly Commission. After a long and earnest debate in which Peel, Graham, the Attorney-General and Lord John Russell took part, the motion was negatived by 211 votes to 76; and the petitioners were probably less satisfied than they professed to be with the measure of support they received from Scottish members. Fox Maule's motion was merely for a committee of inquiry; and the Prime Minister exhorted his hearers not to vote for it "merely for the sake of relieving themselves from personal responsibility," but to ask themselves whether the claims of the Church were such that they could profitably be considered. Yet, of the fifty-three Scottish members, no more than twenty-five could be accused of having succumbed to this temptation, whilst twelve voted against the motion and sixteen were absent.[1] Nor can much be said for the causes to which the Non-Intrusionists attributed their defeat.

that Lord Glenlee's place was taken by Lord Ivory. Several things had occurred to delay the progress of the case—the removal of Clelland to a charge in England, the death before induction of his destined successor and the success of an action brought by the Burgher minority to recover their chapel.

[1] Hansard, 3rd series, lxvii. 354, 442, 505; Stuart Parker's *Peel*, iii. 93. On March 31 Lord Campbell initiated a similar debate in the Lords by moving certain resolutions which were ultimately withdrawn.

They were fond of asserting that a question so purely Scottish could not be made intelligible to English statesmen and that the threat of secession was not seriously believed. No one who has read the speeches and letters of Peel and Graham can doubt that they had carefully studied the movement, that they saw clearly to what it tended—"an ecclesiastical domination in defiance of law," and that they were prepared for, if they did not anticipate, a secession quite as large as that which actually took place. It is at least certain that no apprehension of consequences, however grave, would have altered their decision.[1]

The Non-Intrusionists were already preparing for what they called the "disestablishment" of the Church; and at this crisis the leadership reverted to a man whose personality had recently been somewhat obscured. The eloquence of Chalmers was indeed at all times an important factor, and he himself was far from disclaiming the authority which he believed to be his due. Thus in September, 1841, he intimated to Sir George Sinclair that he had little hope of "ought which may be grafted on Lord Aberdeen's Bill or concocted between his Lordship and the Dean of Faculty," and added "I do think that, after this announcement, the most graceful and becoming thing for both the Dean and the Earl would be to retire from the concern." But Chalmers, though a great orator, had little aptitude for ecclesiastical politics, and the guidance of the General Assembly in its contest with the Court of Session had long since devolved on Candlish, whose first public speech had been delivered only some five years earlier at the Commemoration meeting of 1838. It may

[1] The story that Graham lived to regret the part he had taken in this controversy is unfounded.—Parker's *Graham*, i. 396.

seem surprising that one who had zealously defended against the Voluntaries not only his own Church but that far more Erastian institution, the Church of England, should have so easily reconciled himself to the idea of secession; but logical consistency need not be looked for in so fervid and impressionable a mind as that of Chalmers; and it should be remembered that the movement which he and his friends contemplated was to be on such a scale that it could be represented as a disruption of the Church from the State—a disruption which might be only temporary and in which the parochial and even the endowment principle would in some measure be preserved. We are told that Chalmers as early as 1841 had "a kind of desperate joy in the prospect of an overthrow," believing that some four or five hundred churches might be built for "outed ministers," who would soon be invited to return "and that in this way both his objects would be accomplished of Church extension and Church independence and reform." [1] And Candlish, a year later, spoke of his party as having possibly "to forego for a time the advantages of an Establishment." [2] Teinds and municipal stipends would, of course, require to be renounced; but their loss was to be compensated by the raising of a general or "sustentation" fund; and Chalmers undertook the promotion of this scheme, which was his own idea, at a time when he had but recently retired from the work of Church Extension.

The Convocation which met in November, 1842, had appointed a committee of its members to hold meetings throughout Scotland; but little or nothing was done to provide material support for the secession

[1] *Memoirs of Guthrie*, ii. 22. [2] Wilson's *Candlish*, p. 189.

till this body had united itself in February with another composed exclusively of elders. The joint board was known as the Provisional Committee; it was divided into three sections devoted respectively to finance, church-building and statistics; and Chalmers, who presided over the first of these, exerted himself to the utmost in appealing to the public on behalf of "an oppressed and persecuted people." His object was to obtain donations for the erection of churches and annual subscriptions for the sustentation fund, out of which all ministers were to be paid equal stipends; and the system, as he himself described it, was to be "the nearest possible approximation to, and the least possible departure from, all that is good in the practical results of a National Establishment." In response to his first circular a sum of more than £20,000 was subscribed in ten days.[1] From February 17 to April 21, 1843, the Provisional Committee unburdened itself weekly in a series of "communications," which, if calculated to impress "the friends of the Church" to whom they were addressed, were at least as likely to excite the ridicule of its foes. The question put before the people was said to be, not whether they adhered to certain principles or ministers, but "Who is upon the Lord's side—Who fears him who, after he hath killed the body, hath power to cast both soul and body into hell?"; whatever might be the sacrifices involved in forming a separate communion, there was "no other way of securing liberty of conscience, no other way of maintaining a free and pure gospel in the land"; for the only Church which the civil power was willing to recognise was one "founded upon the ruins of all that is dear to the holy mind"—a Church

[1] Hanna, iv. 331.

whose ministers would be "apt for evil, but impotent for good," and the very existence of which would be "enough to draw down upon the land the judgments of a dishonoured God." [1]

Men who could use or authorise such language had obviously gone too far to draw back; but two questions were still undecided—whether they would be able to carry the disestablishment of the Church, or in other words its disruption from the State, at the forthcoming Assembly, and, if not, how many of the clergy could be relied on to follow them in a mere secession. The Stewarton judgment, if allowed to pass unchallenged, would practically dispose of the first question by disqualifying as potential members of the Assembly about 230 *quoad sacra* ministers, the great majority of whom were keenly Evangelical; but an appeal had been lodged in this case and was withdrawn only when it became known that the exclusion of these ministers would still be provisionally enforced. Much more difficult to answer was the second question. As late as April 7 the Provisional Committee was appealing for funds "to erect forthwith at least six hundred churches"; but many people believed, despite the pledges given at and after the Convocation, that only a fraction of this number would be required.[2] We have seen that the rejection of Sir George Sinclair's attempt to promote a compromise on the basis of Lord Aberdeen's Bill was condemned by a number

[1] *Second and Third Communications to the Friends of the Church of Scotland.* Dr. Hay Fleming was kind enough to lend me a complete set of these circulars.

[2] The *Scotsman* (April 1) was so ill-informed as to rule out the whole of the Highlands as "a blank in Non-Intrusion geography." The Celts, owing to their poverty, were supposed to "have a decided preference for *gratis* preaching."

of Evangelicals who in the west of Scotland were known as "The Forty"; and this movement had attained to dimensions which justified the *Scotsman* in describing it as "an enormous split." Sir George now proposed that a repudiation of the Veto should be inserted in the Bill; and the western dissentients, after holding a meeting at Glasgow and sending a deputation to confer with Sir Robert Peel, had agreed to accept this measure —which subsequently became law—on the tacit understanding that this and every other grant of spiritual independence should be interpreted by the civil courts. Addressing a meeting at Edinburgh on March 29, Candlish protested against the retreat from a position which he and his friends were still determined to hold: "So long as we have only a non-intrusion measure—be it ever so full and complete—while the civil courts are to judge whether we pass its limits and to punish us with pains and penalties if we do, we would be homologating Erastianism—we would consent to the establishment of the Church on an unchristian footing." [1]

On May 18, 1843, when the Assembly had met but had not yet been constituted, Dr. Welsh, the retiring Moderator, read a protest on behalf of 204 ministers and elders, in which it was declared that they were "precluded from holding the said Assembly" and must therefore withdraw to meet elsewhere for the purpose of "separating in an orderly way from the Establishment"; and the reasons alleged for this step were that the Court of Session had violated "the laws and fundamental principles of the Church" by prohibiting the return of members elected without its sanction, and that Parliament in rejecting the Claim of Right had endorsed many such encroachments on

[1] *Seventh and Eighth Communications; Scotsman*, March 11, 1843.

the part of the civil courts. The protesters then withdrew to join their friends in a hall which had been prepared for their reception at Canonmills; and a schism was thus inaugurated which, though the largest that had yet taken place, was not much larger than that which had signalised the revival of Episcopacy, after the Restoration, in 1662. Of some twelve hundred clergy who then occupied parishes or unendowed cures, 451 seceded, leaving 481 Moderates and 260 Evangelicals to constitute that "Residuary Establishment" which Cunningham was to characterise as "a synagogue of Satan." The rate of secession over the whole Church was almost 38 per cent., rising to more than 75 per cent. in the Synod of Ross and falling to 19 per cent. in that of Dumfries. Comprising as they did all but 71 out of 233 *quoad sacra* ministers, the seceders may have been warranted in their assumption that they would have had a majority in the Assembly "of those whom alone they could recognise as lawful members"; but no single Assembly would have been competent to effect such a voluntary disestablishment of the Church as they had had in view. The question would have had to be submitted to the judgment of Presbyteries; and in that case, even if all the *quoad sacra* ministers had been permitted to vote, a majority of sixty Presbyteries to eighteen would have declared against it.

The conflict of Evangelicalism with the civil power had thus terminated in a manner not unworthy of its zealous and disinterested spirit. The sacrifices laid on the altar of spiritual independence were indeed very unequal. More than half of the seceders were unbeneficed, and in their case the prospect was one rather of gain than of loss; but the ministers of town parishes had in most cases to reckon with a diminution

of income, and the lot of their brethren in the country was incomparably worse. Regarded with much disfavour by the landowners and principal farmers, they were in many districts too few and too isolated to be encouraged by what Chalmers called "our hilarity in the presence of each other";[1] and the meagreness of their stipends too often condemned them to "an eternal wrangle" with their people. Addressing his Presbytery in 1858, one of them thus referred to the repulsive necessity of these appeals: "It has been in fact the most painful thing to every man of delicate feelings since the origin of the Disruption Church. It has been a cross not laid upon the backs, but crushing the very heart of most of us. I would not undergo again the agony it has cost me these dozen or fourteen years for any consideration under heaven."[2] It does not detract from the heroism involved in the making of so hard a choice that it had been made in the pursuit of an impracticable ideal. The whole agitation which had continued from 1837 to 1843 was inspired by a belief that it was possible for the Church of Scotland to enjoy the privileges of an Establishment without incurring its obligations; and the fallacy of this notion would probably have been apparent even to the agitators themselves had they not been beguiled by a legal theory which had never been tested under the conditions imposed by the Veto Law. They claimed the right, as we have seen, to deal as they pleased with the pastorate of a parish so long as they renounced its stipend—"as if," wrote a forcible pamphleteer, "it was not

[1] Hanna, iv. 355. "In each of nine Presbyteries there was but one solitary member who supported the secession. In each of twelve there were only two. In numbers there were only three."—Turner, p. 363.

[2] Turner, p. 362.

a contradiction in terms to suppose in an Establishment a separation between the spiritual duty and temporal emoluments, when the very essence of an Establishment consists in the combination of the two, and as if that could be done in a single parish, consistently with union between Church and State, which, if extended to the case of all parishes, would be tantamount to entire severance." [1]

The events which have just been described were the last effort of that theocratic or Ultra-Presbyterian spirit which has occupied so much attention in the preceding instalments of this work; and the ecclesiastical history of Scotland, in so far as it concerns the national historian, may thus be said to end in 1843, as the political history had ended with the abolition of the Scottish representative system in 1832. The Church of Chalmers and Candlish was indeed to go forward from strength to strength, and, forgetting its old quarrel with Voluntaryism, has recently coalesced with a body which was itself a fusion of the Relief Church and the Secession; but the movement in which it originated, unlike the similar movement in the Church of England, has long been extinct, and in fact must have been so before such a union could take place. Dependent on a literal and unintelligent use of Scripture, this movement was necessarily more exposed to the advance of Biblical and archaeological research than one which appealed to the authority and sentiment of mediaeval tradition; and it is a remarkable testimony to the development of the Free Church, once the most obscurantist in Scotland, that amongst its clergy have been found some of the foremost exponents of this science.

[1] Penney's *A Tract for the Times*, p. 8.

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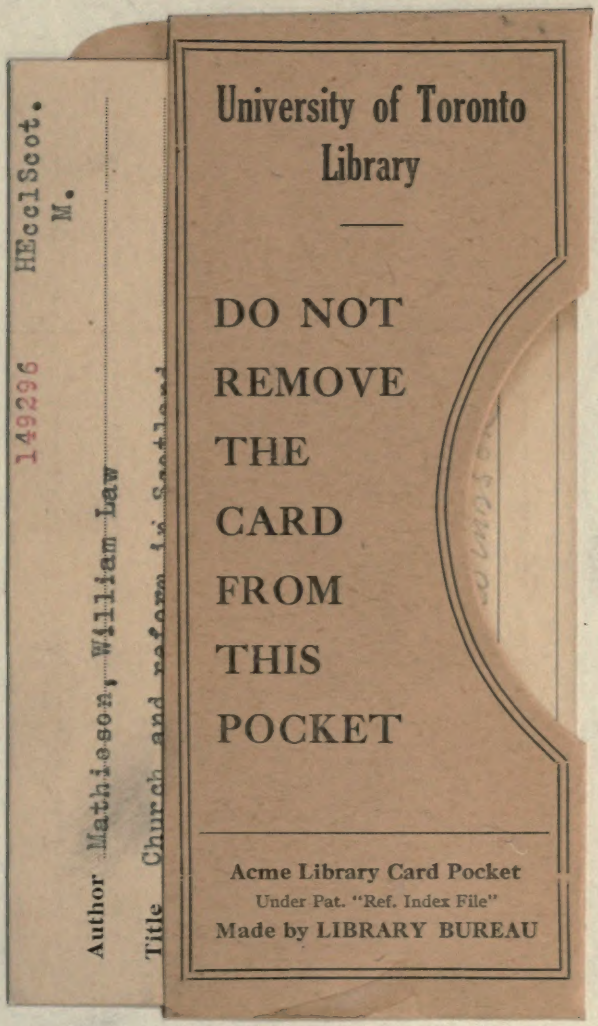
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